

permitted by its owners to deprecate, and by his own hands he converted it into a veritable home. Here he lived with his daughter until last summer when she left home upon her wedding day, and it became his wont to reside in the house which he rebuilt.

The best compliment I can pay him is to say he was a man with a big heart and loved his fellow men and did much to bring an education and good home to hundreds of orphans.

Briefly have I endeavored to review the life of one we loved, but I am unable to portray all the worth and merit of a man so accomplished and so filled with sympathy for his fellows. He is sorely missed by the members of the Committee on Mining, of which he was the chairman; he is mourned by his blood relations, and by the children of Mooseheart whom he adopted; his passing is lamented by all who saluted him in the daily pathways of life. The House of Representatives has lost a sincere and conscientious legislator, his daughter a kind and thoughtful father, the little orphans of the Moose home a considerate and devoted helper, and the country a patriotic and true American.

Mr. SHREVE. Mr. Speaker, I am very glad to have the opportunity this afternoon of joining with my colleagues in paying a tribute to the life and character of Congressman GARLAND. I fully agree with all that has been said this afternoon concerning him, and I shall not attempt to repeat those things which have been so eloquently said.

But I do desire briefly to call the attention of my colleagues to one other phase of Mr. GARLAND's life, and that is this: I knew the Congressman a long time before he came to Congress. In fact I knew him before either of us came to Congress. I remember him well during the time that I was a member of the Pennsylvania State Legislature, when I served as chairman of the Committee on Mines and Mining, and also as chairman of the Committee on the Judiciary. It was first during my service as chairman of the Committee on Mines and Mining that I came to know Mr. GARLAND well. He had been coming to my district for years on political missions, but he came to Harrisburg this time on another sort of mission. There was at that time a strong difference of opinion existing between the coal operators and the miners; a strike was impending, and certain legislation was demanded. Bills to remedy the situation were introduced, and I was selected, as I found out afterwards, as chairman of that committee because I had no knowledge whatever of the subject and had no mines in my district, and therefore could look at the matter impartially. I want to say to you, my colleagues, that after hearing both sides, I was still at a loss to know just what to do, when finally I remembered that Mr. GARLAND came to Harrisburg at times to consult the leaders. I communicated with him, and he became interested in this legislation, and it was only a short time after consulting him that through his influence and others interested all the obstacles had been swept away and we passed a piece of legislation that survived from that time down to the beginning of the World War, when it became necessary to pass other legislation.

And so I probably came in contact with Mr. GARLAND in a different way from most Members, outside of the experience that we have had here in Congress together. I join with my colleague in expressing my high appreciation and great regard for Mr. GARLAND as a Member of Congress. He was efficient, and the things that he did were done well.

There is one thing that can always be said of him—that he was absolutely loyal to his friends. He was loyal to his party, and he was loyal to the great State of Pennsylvania; and, above all, it can always be said that he was loyal to his own city, the great city of Pittsburgh.

I feel that the passing of Mr. GARLAND is a distinct loss to all of us. He was one of the prominent men of Pennsylvania who will be missed. I know of no one to take his place. Surely there is no man that we know of to-day who can take the place made vacant by MAHLON M. GARLAND. In all of the activities of his time, extending back for a long period, beginning, as he did, as a boy, laboring without the opportunities of schooling that many of us had, he made the most of his opportunities, he was successful in his endeavors for the benefit of humanity, he made friends, and he was a loyal friend.

Mr. WATSON. Mr. Speaker, the Members of Congress establish for themselves a positive or passive position in their activities. Each, however, has a specific character, requisite to formulate the laws of the Republic. MAHLON M. GARLAND, without the early advantages of school education, advanced by his natural endowments of discernment, good judgment, and

quick apprehension, guided by observations rather than theories. He was born in Pittsburgh, Pa. At a very early age he assisted to support a large family, working on the farm, in the steel mills, and driving mules on the towpath. He always alluded to his boyhood career, in a way characteristic of a true and honest heart. Mr. GARLAND gained the confidence and affection of those who best knew him, because of his deep and sincere interest in their welfare, as was shown in his marked relation to the organizations of labor.

He was elected to the Sixty-fourth, Sixty-fifth, Sixty-sixth, and Sixty-seventh Congresses, representing the State of Pennsylvania as Congressman at large. He was a member of the Committee on Mines and Mining, and served with marked ability and distinction as its chairman.

Mr. GARLAND was a forceful speaker and never failed, when opportunity occurred, to voice his sentiments upon the floor of the House in favor of the American workmen. He was their friend and did much to advance their happiness and mold and better their home environments. I recall a speech he delivered in the House upon the child labor bill, which indicated his character and his loyalty to the workmen superior to that I can express in my language. He said, in part:

Forty years I have been active in labor matters; for years almost continually in conferences over in Pennsylvania and other States in the iron industries where we met each other, with millions of capital represented on one side of the table and hundreds of thousands of men with their families, directly or indirectly, on the other side. We talked over the condition of employment of labor. I never found the employers desired to enslave child labor. I started early, am sorry I had to do so, for I felt the loss of a chance to go to school all my life, and it has been my endeavor during the time I have been in labor work, as it has all men who are interested in the labor movement, to bring and get a better condition for our children than we had for ourselves.

Mr. GARLAND rendered efficient service to his country, his influence will live, and his memory will be dearly attached to those he aided in the world of labor.

Mr. CRAGO. Mr. Speaker, I ask unanimous consent that all Members who have spoken to-day may have five legislative days in which they may revise and extend their remarks in the Record, and that any Member desiring to insert remarks in the Record in reference to our deceased colleague may be permitted to do so for the same length of time.

The SPEAKER pro tempore (Mr. BUTLER). Without objection, it will be so ordered.

There was no objection.

The SPEAKER pro tempore. The exercises of the day are completed.

Thereupon (at 1 o'clock and 15 minutes p. m.), in accordance with the resolution already adopted, the House adjourned until to-morrow, Monday, February 7, 1921, at 11 o'clock a. m.

SENATE.

MONDAY, February 7, 1921.

(Legislative day of Saturday, February 5, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

Mr. ROBINSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Brandegee	Heflin	Moses	Smoot
Curtis	Johnson, Calif.	Myers	Spencer
Dial	Jones, N. Mex.	Philpotts	Thomas
Fernald	Jones, Wash.	Poinceter	Trammell
Gay	Kenyon	Pomerene	Underwood
Glass	Kirby	Ransdell	Wadsworth
Hale	Knox	Robinson	Warren
Harris	La Follette	Sheppard	Willis
Harrison	McCumber	Smith, Ariz.	

The VICE PRESIDENT. Thirty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The names of the absent Senators were called, and Mr. ASHURST, Mr. GRONNA, Mr. KENDRICK, Mr. KEYES, Mr. KING, Mr. LODGE, Mr. MCCORMICK, Mr. MCLEAN, Mr. McNARY, Mr. SUTHERLAND, and Mr. TOWNSEND answered to their names when called.

Mr. KELLOGG, Mr. BAIL, Mr. NEW, Mr. OVERMAN, Mr. COLT, Mr. FLETCHER, Mr. HITCHCOCK, Mr. LENROOT, and Mr. SWANSON entered the Chamber and answered to their names when called.

Mr. HARRISON. I was requested to announce the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

I was also requested to announce that the Senator from Delaware [Mr. WOLCOTT] and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. DIAL. I wish to announce that my colleague [Mr. SMITH of South Carolina] is unavoidably absent on official business.

Mr. CULBERSON entered the Chamber and answered to his name.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

Mr. ROBINSON. Mr. President, I send to the desk an amendment which I propose to the pending bill, and ask to have the same read.

The VICE PRESIDENT. The Secretary will read the proposed amendment.

The READING CLERK. On page 19, lines 20 and 21, strike out "\$33,000,000" and insert in lieu "\$50,000,000."

Mr. ROBINSON. This amendment relates to the hospitalization of sick and disabled soldiers.

Mr. WARREN. May I say to the Senator from Arkansas that we have not yet finished with the Senate committee amendments, and this amendment is not now in order.

Mr. ROBINSON. I am not offering the amendment; I merely asked that it be read.

Mr. JOHNSON of California. I wish to introduce a resolution and ask its reference to the Committee on Education and Labor.

Mr. ROBINSON. I yield to the Senator for that purpose.

LABOR TROUBLES IN WEST VIRGINIA COAL FIELDS.

Mr. JOHNSON of California. I submit the following resolution and ask that it be referred to the Committee on Education and Labor.

The resolution (S. Res. 440) was read, as follows:

Whereas conditions of violence in the coal fields of Logan, McDowell, Mercer, and Mingo Counties, of West Virginia, have been so serious as to lead to the calling in of Federal troops; and

Whereas the existence of such conditions, during the present difficult and disturbed period of reconstruction following the Great War, is a menace to orderly democratic government and to the general safety and welfare of the people of the United States: Therefore be it

Resolved, That the Senate Committee on Education and Labor is hereby authorized and directed to make a thorough and complete investigation of the conditions existing in the coal fields of Logan, McDowell, Mercer, and Mingo Counties, of West Virginia, for the purpose of ascertaining the underlying causes of unrest and of proposing constructive measures for the removal of such causes; said investigation to give particular attention to the following points:

1. Whether the conditions existing in said coal fields justified calling in of Federal troops.

2. Whether conditions existing in said coal fields have been caused by agreements and combinations entered into contrary to the laws of the United States for the purpose of controlling the production, sale, and transportation of the coal of these fields.

3. Whether armed guards and other armed forces have been maintained or paid for by private individuals and organizations; and if so, whether such practice was legal and in accordance with sound public policy.

4. Whether citizens of the United States have been arrested, tried, or convicted contrary to or in violation of the Constitution or the laws of the United States.

5. Whether efforts of the United Mine Workers of America to organize the employees of these fields were responsible for the disturbed conditions, and if so, whether such efforts were contrary to law and to sound public policy.

6. Whether or not postal services and facilities have been or are interfered with or obstructed in said coal fields; and if so, by whom.

7. Investigate and report all facts and circumstances relating to the charge that citizens of the United States have been arrested, tried, and convicted contrary to or in violation of the Constitution or the laws of the United States.

Said committee, or any subcommittee thereof, is hereby empowered to sit and act during the session or recess of Congress, or of either House thereof, at such time and place as it may deem necessary; to require by subpoena or otherwise the attendance of witnesses and the production of papers, books, and documents; to employ stenographers, at a cost not exceeding \$1.25 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of its proceedings; to have such evidence, record, and other matter required by the committee printed; and to employ such other clerical assistance as may be necessary. The chairman of the committee or any member thereof may administer oaths to witnesses. Subpoenas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee, or any subcommittee thereof, willfully makes default, or who having appeared refuses to answer any questions pertinent to the investigation herein authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

The expenses thereof shall be paid from the contingent fund of the Senate on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee on Contingent Expenses.

Mr. KENYON. Mr. President, that resolution, as I understand, is to be referred to the Committee on Education and Labor. There are only about three weeks remaining of the present session, and, as the chairman of that committee, I wish to say that, while I am not against the resolution, and it is

possible that the investigation should be made, yet it is perfectly impossible that the investigation shall be made during this session.

Furthermore, a case is now being tried in West Virginia arising out of the matters involved in the resolution, and I am inclined to think that such an investigation ought not to take place while a case is pending in the court. I wish to say in any event that if the resolution is referred to the Committee on Education and Labor with the intention to have the matter investigated at this session, it would be utterly impossible; and if it be desired that the matter be investigated now, I should prefer that the resolution be referred to another committee.

The VICE PRESIDENT. The resolution must eventually go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JOHNSON of California. I have no objection to the resolution being first referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will first be referred to that committee, to decide if, in their judgment, the investigation should be made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, communicated to the Senate the resolutions of the House unanimously adopted as a tribute to the memory of Hon. MAHLON M. GARLAND, late a Representative from the State of Pennsylvania.

The message also announced that the President of the United States having returned to the House of Representatives, in which it originated, the joint resolution (H. J. Res. 440) directing the Secretary of War to cease enlisting men in the Regular Army of the United States except in the case of those men who have already served one or more enlistments therein, with his objections thereto, the House proceeded in pursuance of the Constitution to reconsider the same; and

Resolved, That the said joint resolution do pass, two-thirds of the House of Representatives agreeing to pass the same.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 517. An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public, No. 77); and

S. 4891. An act to amend section 1 of an act approved February 26, 1919, entitled "An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes."

PETITIONS AND MEMORIALS.

Mr. SPENCER. I present to the Senate a concurrent resolution adopted by the General Assembly of the State of Missouri in regard to the volunteer officers' retirement bill, which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD and referred to the Committee on Military Affairs, as follows:

Hon. SELDEN P. SPENCER:

I hereby certify the following concurrent resolution was adopted by the house of representatives and concurred in by the senate of the General Assembly of the State of Missouri:

Resolved, That the Missouri delegation in the Congress of the United States at Washington, D. C., be requested to use their influence and vote for the passage of the bill entitled "The volunteer officers' retirement bill" now before the House.

"This bill asks the United States Government to fulfill its promises to said officers of the Regular Army of the United States of the same grade. This bill was reported favorably and passed by the United States Senate in the last session, but too late to reach the House. This is simply a matter of justice to the volunteer officers.

"Missouri is interested in this matter and it will be a great comfort to the old veteran officers of the Civil War if passed."

J. F. CHAPIN,

Chief Clerk House of Representatives.

Mr. SHEPPARD (for Mr. CHAMBERLAIN) presented a resolution of the Legislature of Oregon regarding the control of insect depredations threatening adjoining timbered areas in other than Government ownership, etc., which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Senate joint memorial 5.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Whereas damage to standing timber in the State of Oregon through insect depredations is reaching alarming proportions in certain districts of eastern Oregon, far exceeding damage through forest fires, and resulting in actual loss of hundreds of thousands of dollars yearly; and

Whereas private owners of timber have for several years expended considerable sums in an effort to control the spread of insect infestations; and

Whereas very little has been done in Oregon by the Federal Forest Service or other Government departments to prevent spread of infestations from Government-owned to adjoining privately owned timber holdings, thus rendering the work of private owners in a large measure ineffectual; and

Whereas the State of Oregon is largely dependent upon standing timber for tax returns and future upbuilding of the State, thus making it vital that timber resources be carefully guarded against needless destruction; Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That we, your memorialists, the senate and house of representatives of the State of Oregon, in regular session assembled, do respectfully and earnestly petition the Congress of the United States to provide necessary funds and appropriately instruct the United States Forest Service, Department of Agriculture, Bureau of Indian Affairs, and General Land Office, Department of Interior, to take immediate steps looking to control of insect depredations threatening adjoining timbered areas in other than Government ownership.

Resolved, That the chief clerk of the Senate of Oregon be, and he is hereby, directed to forward a copy of this joint memorial, under his certificate and seal, to the Secretary of Agriculture, Secretary of Interior, each Senator and Representative from Oregon to the Congress of the United States, United States forestry commissioner of General Land Office, and Commissioner of General Land Office, and Commissioner of Indian Affairs.

Passed by the senate January 25, 1921.

ROY W. RITNER,
President of the Senate.

Passed by the house January 28, 1921.

LOUIS E. BEAN,
Speaker of the House.

Mr. SHEPPARD (for Mr. CHAMBERLAIN) presented a resolution of the Legislature of Oregon, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the Record, as follows:

Senate joint memorial 4.

To the honorable Senators and Representatives in Congress assembled:
Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas the Government of the United States maintains a Bureau of Animal Industry, which besides cooperating with the several State sanitary boards and sanitary agencies of the several States of the Union, also maintains specialists that are detailed to work out and investigate various animal disease, food, and mineral deficiency problems; and

Whereas in the Wood River Valley, in Klamath County, Oreg., and in other range sections of the West there is present a condition caused either by disease, food, or mineral deficiency that yearly causes the loss of a large number of cattle, and up until the present has not been definitely solved or satisfactorily controlled; and

Whereas the State of Oregon is financially unable to carry the investigation further, and in order that the money already expended may not be wholly lost: Therefore be it

Resolved by the Senate of Oregon (the House of Representatives concurring), That our Senators and Representatives in Congress be, and are hereby, petitioned and memorialized by the Senate and House of Representatives of the State of Oregon to take such steps and action as shall result in the early assignment by the United States Bureau of Animal Industry of a chemist and an animal pathologist to cooperate with the Oregon State Live Stock Sanitary Board and the department of veterinary medicine of the Oregon Agricultural College in finding out the cause and developing a remedy for the aforementioned malady; be it further

Resolved, That after concurrence of the house of representatives herein the chief clerk of the senate shall transmit copies of this memorial to the Senators and Representatives of Oregon in the Congress of the United States.

Passed by the senate January 25, 1921.

ROY W. RITNER,
President of the Senate.

Passed by the house January 28, 1921.

LOUIS E. BEAN,
Speaker of the House.

Mr. WOLCOTT presented memorials of Mrs. J. F. Hoey, Joseph F. Forrest, Mrs. Jane A. Forrest, John H. Forrest, J. T. Gillespie, Mary M. Keenan, P. J. O'Hara, Anna T. O'Hara, Mrs. Hannah Harkins, sundry students and alumnae of the Ursuline Academy, S. Healy, Joseph P. Healy, and Mrs. S. Healy, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

He also presented memorials of Mrs. G. B. Murray, Alice Batterbury, Frank M. Rogers, Peter Rogers, Elizabeth Bradford, and W. F. Lynn, grand knight Santa Maria Council, No. 195, Knights of Columbus, all of Wilmington, Del., remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. CAPPER presented a resolution of Purcell Farmers' Union, Local No. 1117, of Greene County, of Marmaduke, Ark., favoring legislation to prohibit gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution of the Chamber of Commerce, of Coffeyville, Kans., favoring legislation providing for Federal aid in highway construction and protesting against legislation providing for a national system of highways, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Price, Utah, praying for the enactment of legislation to prohibit gambling in

grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. SMITH of Maryland presented memorials of the Knights of Columbus, of Emmitsburg, signed by T. J. Norris, grand knight; Rev. C. O. Rosenstell, of Forest Glen; and the Alumni Association, Loyola College, of Baltimore, all in the State of Maryland, remonstrating against the enactment of legislation to create a department of education, which were referred to the Committee on Education and Labor.

Mr. WILLIS presented petitions of sundry members of Athens Central Labor Union, of Athens, and sundry citizens of Cleveland, both in the State of Ohio, praying for recognition for the independence of Ireland, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH, from the Committee on Military Affairs, to which were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1721) for the relief of Jennie Garrett (Rept. No. 761);

A bill (S. 2340) to amend the military record of Richard Parke (Rept. No. 762); and

A bill (S. 4827) to authorize the Secretary of War to furnish to the National Museum certain articles of the arms, matériel, equipment, or clothing heretofore issued or produced for the United States Army, and to dispose of colors, standards, and guidons of demobilized organizations of the United States Army, and for other purposes (Rept. No. 763).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

A bill (S. 4986) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture; to the Committee on Military Affairs.

By Mr. POINDEXTER:

A bill (S. 4987) for the relief of Frederick W. Seidell; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 4988) granting a pension to Lillian M. Woodard; to the Committee on Pensions.

By Mr. DIAL:

A bill (S. 4989) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture; to the Committee on Post Offices and Post Roads.

By Mr. ROBINSON:

A bill (S. 4990) granting renewal and extension of certain patents to I. H. Larr; to the Committee on Patents.

AMENDMENT OF TRANSPORTATION ACT OF 1920.

Mr. LA FOLLETTE. Mr. President, I offer an amendment intended to be proposed by me to Senate bill 4898, to amend the transportation act of 1920, which is now on the calendar. I ask that the amendment may be printed in the Record and lie on the table.

The VICE PRESIDENT. It will be so ordered.

The amendment referred to is as follows:

To amend the transportation act, 1920. On page 2, after line 20, insert the following:

"(C) That no payment of money shall be made to any railroad company under this act except and until it shall be determined by the Interstate Commerce Commission, upon full investigation and finding duly entered thereon, certifying: (1) That such railroad company has not since March 1, 1920, paid or contracted to pay unreasonable and extravagant prices for railway supplies, equipment, repairs, and renewals charged to its maintenance account; or (2) that it has not paid or agreed to pay unreasonable sums as salaries to its officers or directors; or (3) that it has not otherwise managed and conducted its business in a dishonest, inefficient, or uneconomical manner, in violation of the terms of the transportation act of 1920."

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SHEPPARD submitted an amendment relative to the improvement of Houston Ship Channel, Tex., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BALL submitted an amendment relative to the improvement of Charleston Harbor and channels, S. C., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment relative to the navy yard, Charleston, S. C., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. SWANSON submitted an amendment providing for an examination and survey of the harbor at Scotland, Va., with the

view of providing a channel of suitable depth and width connecting the wharves at Scotland, Va., with the main channel of James River in that vicinity, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. PHIPPS submitted an amendment relative to the payment of grazing fees on public lands intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. ROBINSON submitted an amendment proposing to increase the appropriation for medical, surgical, and hospital services, medical examinations, funeral expenses, traveling expenses, and supplies, etc., for beneficiaries of the Bureau of War Risk Insurance, etc., from \$33,000,000 to \$50,000,000, intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and to be printed.

FORT BELKNAP INDIAN RESERVATION LANDS, MONTANA.

Mr. WALSH of Montana submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes, which was referred to the Committee on Indian Affairs and ordered to be printed.

PURCHASE OF FARM LOAN BONDS.

Mr. SWANSON. I desire on behalf of my colleague [Mr. GLASS] and myself to submit an amendment intended to be proposed to the general Agricultural appropriation bill, authorizing the Secretary of the Treasury during the fiscal years ending June 30, 1921, and June 30, 1922, respectively, to buy not exceeding \$100,000,000 worth of farm loan bonds issued by any Federal land bank. The occasion for presenting the amendment is brought about by the failure of the Supreme Court to decide a case there pending. I simply desire to call attention to the matter, so that the committee may give it consideration when the bill comes over.

Mr. SMOOT. Did I understand the Senator to ask to have the amendment referred to the Committee on Agriculture and Forestry?

Mr. SWANSON. To the Committee on Agriculture and Forestry; yes.

Mr. SMOOT. That committee had nothing whatever to do with the law creating the Federal farm loan banks.

Mr. McLEAN. I should like to have the proposed amendment submitted by the Senator from Virginia read.

Mr. SWANSON. I think it could well go to the Committee on Agriculture and Forestry, where it may be considered in connection with the general Agricultural appropriation bill.

Mr. McLEAN. I ask to have the proposed amendment stated.

The VICE PRESIDENT. The Secretary will read as requested.

The Assistant Secretary read as follows:

Amendment intended to be proposed by Mr. SWANSON for himself and on behalf of his colleague [Mr. GLASS] to the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922. On page —, line —, insert the following:

"The Secretary of the Treasury is hereby authorized from time to time during the fiscal years ending June 13, 1921 and 1922, respectively, to purchase at par and accrued interest, with any funds in the Treasury not otherwise appropriated, from any Federal land bank, farm loan bonds issued by such bank.

"Such purchases shall not exceed the sum of \$100,000,000 in either of such fiscal years, shall be made only upon the recommendation in writing of the Federal Farm Loan Board, and the bonds so purchased shall bear interest at the rate of 5 per cent per annum.

"Any Federal land bank may at any time purchase, at par and accrued interest, for the purpose of redemption or resale, any bonds so purchased from it and held in the Treasury.

"The bonds of any Federal land bank purchased by the Secretary of the Treasury and held in the Treasury under the provisions of this act three years from the date of purchase shall upon 30 days' notice from the Secretary of the Treasury be redeemed or repurchased by such bank at par and accrued interest."

Mr. McLEAN. Mr. President, several resolutions similar to the amendment have been referred to the Committee on Banking and Currency, and I think it clear that the amendment intended to be proposed by the Senator from Virginia should likewise be referred to that committee. I will say to the Senator from Virginia, however, that so far as the chairman of that committee is concerned, he has no desire to assume any responsibility that the Senator wants to place on the Committee on Agriculture and Forestry. So if the Senator from Virginia wants the amendment to go to the Committee on Agriculture and Forestry, I shall make no objection.

Mr. SWANSON. I do not think there is a chance of adopting any such provision except as an amendment to the Agricultural appropriation bill. It is simply offered as an amendment, and the question as to whether or not it is relevant will

come up when the Agricultural appropriation bill is reported. I ask that the proposed amendment be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Without objection, that order will be made.

SUNDRY CIVIL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

Mr. BRANDEGEE. Mr. President, I wish to make a parliamentary inquiry of the Chair. I simply wish to ask the Chair whether under the rule the recess of the Senate upon Saturday last continuing the legislative day sets aside the provision of the third paragraph of Rule VII as to Calendar Monday? I do not make the inquiry in any spirit of hostility to the consideration of the pending bill; I wish to accelerate the appropriation bills in every possible way; but I think it is desirable that we should not violate the rule, if the present proceeding does violate it.

The VICE PRESIDENT. The Chair is of the opinion that, so far as the proceedings of the Senate of the United States are concerned, to-day is still Saturday, the 5th of February.

Mr. BRANDEGEE. Then, when the rule says that on Monday the calendar shall be taken up, it does not refer to calendar days?

The VICE PRESIDENT. The rule, taken in connection with the other portions of Rule VII, only begins to have binding force and effect at the conclusion of the routine morning business, and as there is no routine morning business to-day the Chair holds that the rule is not in force and effect to-day.

Mr. BRANDEGEE. I am not sure that the Chair is correct; but that is immaterial, and I do not care to question the ruling of the Chair. I merely wish to have the question decided; that is all.

The VICE PRESIDENT. The Chair has ruled the way in which he thinks the Senate will decide.

Mr. JONES of Washington. Mr. President, I simply wish to state for the RECORD that I am not going to make any question about the ruling of the Vice President this morning, but I hope it will not be considered as a precedent in the future. The effect of that ruling would be that by a majority vote the Senate upon any Saturday could set aside the rule providing for the consideration of the calendar on Monday. I do not believe we should establish a precedent of that sort. I simply wish the RECORD to show that. I am not disposed to ask that we proceed with the calendar to-day, but I do not want the ruling that a majority of the Senate on Saturday may set aside the consideration of the calendar on Monday to go unchallenged.

The VICE PRESIDENT. Let us settle the matter now.

Mr. JONES of Washington. There is not any question raised by any Senator now.

The VICE PRESIDENT. But the Chair has ruled on the matter, and the ruling of the Chair will stand as a precedent unless it is overruled.

Mr. JONES of Washington. I do not wish to take up the matter now.

Mr. ROBINSON. In view of the statement of the Senator from Washington [Mr. JONES], I do not think his declaration should go unchallenged or as reflecting the unanimous sentiment of the Senate, for I agree that the ruling of the Chair is correct and is in conformity with the precedents of the Senate extending over a period of many years. So far as I know the position taken by the Chair has never before been challenged. It has been the universal custom of the Senate to suspend other orders by continuing the existence of the legislative day. A great deal more inconvenience would result to the Senate by overthrowing the precedents to that effect and establishing the contrary rule, holding that the legislative day could not be extended except by a two-thirds vote, than would arise under the precedent established by the Vice President's ruling this morning.

Mr. JONES of Washington. I think the Senator from Arkansas misapprehends my position. I did not intend to have it inferred that merely on my statement it would be construed that the Vice President's ruling was wrong.

Mr. ROBINSON. No.

Mr. JONES of Washington. I stated that I did not wish to take the matter up; I do not desire to create any discussion now.

Mr. ROBINSON. I understand that, and I do not intend to discuss the matter at length; but as the Senator from Washington had made a statement expressing his opinion that the ruling of the Chair was wrong, and that he made the statement for the purpose of preventing the ruling of the Chair from becoming a precedent, it might very well be cited in future as an

evidence of the fact that the Senate acquiesced in that determination of the matter and left it undecided.

We all know that when the Chair makes a ruling and any Senator desires to appeal from that ruling and to take the sense of the Senate as to whether or not it is correct, he may do so by an appeal; but I did not want the statement of the Senator from Washington that the ruling of the Chair was wrong and should not be regarded as a precedent to go into the Record unchallenged. I think that the Chair has ruled correctly upon the matter, and I agree with the Chair. If the Senator from Washington thinks that ruling is incorrect he ought to take an appeal and give the Senate an opportunity to express itself on the matter.

Mr. JONES of Washington. I was simply expressing my own personal view; I was not expecting to bind any Senator, either now or in the future.

Mr. ROBINSON. Very well, Mr. President; and I was simply doing the same thing, but I want the Senator from Washington, and the Senate as a whole, to understand that the opinion of the Senator from Washington is not the unanimous opinion of the Senate as to the correctness of the ruling of the Chair. I think I have made myself clear on that point.

The VICE PRESIDENT. If the Senator will permit, the Chair, in connection with the discussion which has taken place, will read the rule. It is as follows:

Provided however, That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar except—

And so forth. Because of the recess taken on Saturday there is no morning hour.

Mr. ROBINSON. That is exactly true, and that was the object in taking a recess. If we upset the precedents and the rule now, we shall have a great deal of difficulty hereafter.

Mr. President, I took the floor for the purpose of having read an amendment which when the committee amendments are disposed of I intend to offer to the sundry civil appropriation bill. It relates to the hospitalization of sick and disabled soldiers. That subject, however, has two aspects; first, with respect to the construction of adequate hospital facilities; and, second, with respect to the care and maintenance of the sick and disabled soldiers in and out of the hospitals.

The amendment which I have had read this morning is intended to increase the amount carried in the bill for the maintenance and care of sick and disabled soldiers, and so forth, from \$33,000,000 to \$50,000,000. The Senator from Kansas [Mr. CAPPER] informs me that he likewise has introduced or will offer an amendment increasing very substantially the amount carried in the bill.

I merely wanted to explain at this time that the amendment which I am now mentioning has only a collateral relation to the amendment which has been discussed heretofore, relating to the construction of additional hospital facilities. When these respective amendments are reached, of course they will be discussed in the Senate.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Office of superintendent of documents," on page 173, line 24, after the numerals "\$1,800," to strike out "2 at \$1,600 each"; in line 25, before the words "at \$1,200 each," to strike out "2 at \$1,400 each, 6," and insert "4"; and, on page 174, line 3, to strike out the numerals "\$223,793.20" and insert "\$215,393.20," so as to read:

OFFICE OF SUPERINTENDENT OF DOCUMENTS.

Superintendent, \$3,500; assistant superintendent, \$2,500; clerks—2 of class 4, 3 of class 3, 5 of class 2, 8 of class 1, 11 at \$1,000 each, 10 at \$900 each, 24 at \$840 each; cataloguers—1 in charge \$1,800, 2 at \$1,500 each, 4 at \$1,200 each, 1 \$1,100, 8 at \$1,000 each, 4 at \$900 each; cashier, \$1,600; librarian, \$1,500; foreman, \$1,600; assistant foreman, \$1,200; labor necessary in making distribution of Government publications, \$116,033.20; in all, \$215,393.20.

The amendment was agreed to.

The next amendment was, on page 174, after line 3, to insert:

CONGRESSIONAL RECORD Index: For salaries and expenses of preparing the semimonthly and session indexes of the CONGRESSIONAL RECORD, under the direction of the Joint Committee on Printing, as follows: Chief indexer, \$3,000; cataloguer, \$2,500; two cataloguers, at \$1,800 each; in all, \$9,100.

Mr. ROBINSON. Mr. President, I should like an explanation of that item, the purpose of it and the effect of it.

Mr. SMOOT. Mr. President, for 40 years the CONGRESSIONAL RECORD has been indexed under contract. The indexer was paid \$1.20 per page and he employed the number of people necessary to do the work. From 1912 to 1920 the cost of indexing the Record has varied from \$13,384.40 to \$19,696.80 per year. By this amendment we provide four people to do the indexing

under the direction of the Joint Committee on Printing at fixed salaries.

Mr. ROBINSON. What is the total cost of the service now?

Mr. SMOOT. It all depends upon the number of pages in the Record.

Mr. ROBINSON. And the total cost of the service, as provided in the bill, will be \$9,100?

Mr. SMOOT. The total cost.

Mr. ROBINSON. The Senator is certain that the provision in the bill is adequate to secure efficient performance of the work?

Mr. SMOOT. Absolutely. Not only that but it provides for just as many men and at the same salaries, and in one case \$250 per year more than has been paid to the men who did the work.

Mr. ROBINSON. I am not interested in the number of men. I am interested in the efficient and economical performance of the service.

Mr. SMOOT. I assure the Senator that this will do it.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 174, after line 24, to strike out:

The duty of preparing, publishing, and distributing the semimonthly and session indexes of the CONGRESSIONAL RECORD shall be performed, beginning with the 1st day of July, 1921, and thereafter, by the superintendent of documents of the Government Printing Office, under the direction of the Joint Committee on Printing. For the performance of this work the superintendent of documents shall assign from time to time from among the persons appropriated for his office such of them as he may deem competent and necessary.

The amendment was agreed to.

The next amendment was, on page 180, after line 2, to insert the following section:

SEC. 3. Any journal, magazine, periodical, or similar publication which is now being issued by a department or establishment of the Government may, in the discretion of the head thereof, be continued, within the limitation of available appropriations or other Government funds, until June 30, 1922, when, if it shall not have been specifically authorized by Congress before that date, such journal, magazine, periodical, or similar publication shall be discontinued.

Mr. KING. Mr. President, may I inquire the reason for the postponement under June 30, 1922?

Mr. SMOOT. Under existing law all publications whose continuance has not been specifically provided for by law by June 30, 1921, will cease on that date. The list has not yet been made up, nor are the departments yet in a position to state just exactly what publications they want continued. Therefore we are changing the date from 1921 to 1922, giving an extension of one year, and I assure the Senator that it is absolutely necessary.

Mr. KING. I wish it might be shortened for six months, because the waste of money in these governmental publications is shocking. Moreover, some of these publications are being utilized not for legitimate purposes. For instance, one of them, published by the Bureau of Education, is utilized for the purpose of advocating the passage of a certain bill which will magnify the power and extend the activities and authority of that organization. I think it is a shame that the public money should be misappropriated in that way and should be utilized by the employees of the Government to advocate policies which will increase their salaries and add to their activities.

Mr. SMOOT. I will say to my colleague that I have had the committee together a number of times, and we have passed on various publications. We have them all under investigation now, and I hope that by the time named in the amendment we shall be able to settle the thing definitely.

Mr. UNDERWOOD. Mr. President, a year ago Congress adopted the policy of stopping these Government publications. I do not think it is wise to continue their publication for another year if that was a correct policy; and I am not disposed to leave this provision in the bill, as it is subject to a point of order, unless the Senator from Utah can give me more light than he has given on the subject.

Mr. SMOOT. Mr. President, the law now provides, as I stated, that if Congress does not specifically authorize before June 30, 1921, the continuation of departmental publications none of them shall be issued. So far we have not been able to agree upon just what should be published, and the departments have not yet agreed, but we have already cut out hundreds of them by order. Just as soon as the list is complete we shall ask Congress to authorize their publication in the future; but we have not now the information that will enable us to say which of them should be stopped on June 30, 1921.

Mr. UNDERWOOD. I was in accord with the Senator's view when he offered this provision originally. If I recollect aright,

the provision went in when this side of the Chamber controlled the committee and we agreed to it.

Mr. SMOOT. That is correct.

Mr. UNDERWOOD. The provision came from the Senator from Utah, though, and not from our side of the Chamber. I thought he was right about the matter that there were too many publications, and I am disposed to think he is right now. They have had six or seven months in which to work out the plans as to which should be kept and which should not be kept.

After the 4th of March, I understand, or certainly within 50 days after the 4th of March, we will have Congress here again, and that will give us at least two months before the 1st of July, which will afford ample time in which to work out plans for the continuation of publications. I see no reason why the matter should go for another year, and for that reason I am disposed to make a point of order against the provision.

Mr. SMOOT. I hope the Senator will not do it. The Senator knows that I would not ask for this extension if I did not think it was really necessary. If the matter can be attended to at an earlier time than this, I assure the Senator that it will be done.

Mr. UNDERWOOD. I will say to the Senator, then, that I am willing to make a compromise with him about the matter if he will keep the compromise. I am not going to make it unless I can have an understanding that it is going to be defended and enforced in conference.

Mr. SMOOT. It would not be in conference. Whatever we put in here would estop us. The House would have to agree to it just as it is.

Mr. UNDERWOOD. No; whatever we put in here the House can change hereafter. If the Senator is willing to make this December 1, 1921, instead of June 30, 1922, I am willing to accept a compromise of that kind, if he will agree that it shall stay that way, and not be changed in conference.

Mr. SMOOT. I will say to the Senator that if there is human power sufficient to bring it about, I shall see that it is carried out.

Mr. UNDERWOOD. The human power exists, because the Senate conferees can yield on the whole provision, and that is what they will have to do right now unless this compromise is made.

Mr. SMOOT. I am perfectly willing to have the compromise made, and will say to the Senator that I shall do everything in my power to bring it about.

Mr. UNDERWOOD. Then I suggest the amendment which I have indicated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out "June 30, 1922," and to insert in lieu thereof "December 1, 1921."

Mr. WARREN. Mr. President, a trade made on the floor may or may not stand. I do not know about that. We do know that this is subject to a point of order, and I am very glad it is changed, and I hope it may remain the way it is now proposed to be changed.

Mr. UNDERWOOD. I will say to the chairman of the committee that I really do not think there ought to be an extension of time, but in view of the statement of the Senator from Utah I have consented to it; and I am sure that a gentlemen's agreement of this kind, made on the floor, will be carried out.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. This completes the committee amendments. The Secretary will state the first amendment passed over.

The ASSISTANT SECRETARY. The first amendment passed over is on page 2 of the bill, the item relative to an archives building.

Mr. ROBINSON. Mr. President, I have received a letter about this building, part of which I want to read:

I am giving you the gist of the situation as stated to me, and the results of my own observations; the facts can be readily verified by calling up the officials in touch with the matter.

The site chosen is immediately adjacent to city blocks already owned by the Government, but as they are destined at some distant date for other uses it is proposed to buy two more blocks and close the street that divides them. The property owners were approached, and some who were not occupying or receiving high rents for their portions agreed to sell at 50 per cent over the tax appraisal, which I believe is here considered reasonable. The owners of the most valuable portions would not agree to sell, but the Government agents estimated the whole at the rates made for the portion as requiring a half million, expecting to make up the deficit by later request. The building is to start on an appropriation for five millions, with which will be built the entrance wing; the entire building will probably reach fifteen millions before completion and equipment.

My business with the Navy Department took me to the Navy Building at Twentieth and B Streets NW., adjoining its duplicate, the

Munitions Building. These two buildings, erected for war needs, are the largest buildings for their kind I have ever seen, and offer an excellent solution of the archives problem for a generation, at least. They are of rigorously fireproof construction, with cement floors, steel windows, fire doors, etc., and are now about one-fourth occupied. One or two clerks or minor officials have a room to themselves, and often have a suite of rooms; I saw drafting rooms larger than the Senate Chamber, with five or six men in each. Figures on the number of employees in these buildings to-day and at the height of war activity would, I am certain, make it obvious that all of the bureaux now in both could be roomily housed in one, leaving the other available for archives. It would require only a comparatively small sum for minor changes, such as replacing wood hallway doors with metal doors, and for metal shelving, which could be reused in any later building, and a hall of archives would be immediately available.

Mr. SMOOT. Would the Senator care to give the Senate the name of the writer of the letter?

Mr. ROBINSON. I will put the entire letter in the Record, if the Senator from Utah insists. I do not know the gentleman. He states that he is a citizen of Arkansas, and is here on private business with the department. His name is R. R. Williams.

Mr. SMOOT. His statement is so contrary to what I have been told by the Supervising Architect of the Treasury Department, and also by those who have studied the question thoroughly for a number of years, that, of course—

Mr. ROBINSON. The Senator can make his argument upon the matter a little later. I assume the Senator will want to take the floor.

Mr. SMOOT. No; I simply wanted to know who wrote the letter.

Mr. ROBINSON. I have stated that the gentleman who signs his name represents himself as a citizen of Arkansas, visiting Washington on some question in connection with his income tax.

Mr. President, it has been pointed out to me that there are a large number of vacant blocks in the city of Washington owned by the Government which might be available for the purposes of this building. The statement was made in the Senate on Saturday when this item was first reached that this property is to be purchased at its assessed valuation. I have looked into that somewhat, and through the kindness of the Senator from Washington [Mr. POINDEXTER], I have been furnished with the records in regard to the matter.

It appears that real estate in Washington is assessed uniformly on a basis of two-thirds of its market value, and that the property in this item, consisting of two small blocks, is assessed, one block at \$158,752.50 and the other at \$158,451; so that the total assessed valuation of the property is a little over \$300,000. What is termed its legal valuation, however, the figures being intended to represent the full market value of the property, is, in the first case, \$238,128.75—that is, as to square No. 294—and as to square No. 295 it is \$237,676.50, making, as I believe, the amount carried in the bill for the purchase of the blocks. So it is not proposed to purchase the property at its assessed valuation, but at its full legal valuation, which is one-third more than the assessed valuation.

I do not care to make a point of order against the amendment, but I believe the Senate ought to take a vote on it. The committee have shown a disposition to economize, and I think as to some of the items in the bill they have been unduly economical.

This subject has been investigated by a commission appointed by the Congress, and my information is that this site was reported upon by the commission as a desirable and acceptable site for an archives building. Notwithstanding that I believe there are other sites available, I shall not make the point of order, but, so far as I am concerned, will let the Senate vote upon the amendment.

Mr. POINDEXTER. Mr. President, the suggestion of the writer of the letter, as I understand it, is that one of the temporary buildings erected during the war down near the Mall, in the park, could be used for an archives building. Of course, that building was not constructed with a view to the storage of archives, and is not fitted for it, but it was erected for other branches of the Government service, and it was intended that it should be removed within a short time. Furthermore, in case those buildings should be retained, and archives stored in them, they would be subject to the same conditions of dampness and heat and other circumstances which are now damaging the archives in the places where they are stored at present.

I have, as a part of the report of the Public Buildings Commission, filed December 18, 1917, a very careful estimate of the amount of cubic feet of space occupied by records in the various departments, which would be stored in the archives building, occupying space that is not suitable for their storage where they are at present, in space which is needed for other purposes. The total is 805,007 cubic feet of space, the principal items composing that amount being 364,600 in the Treasury Department, 248,484 in the Department of Justice, 56,956 in the

Navy Department, 36,216 in the Department of Agriculture, 38,883 in the Department of Commerce, and various smaller amounts in other branches of the service, including 12,700 cubic feet in the Interstate Commerce Commission Building.

This item, Mr. President, is in pursuance of existing law. It does not change the existing law in any respect whatever, but is in strict conformity with it.

So far as the statement made by the writer of the letter that this building will ultimately cost \$15,000,000 is concerned, that is contrary to the facts and contrary to the law. The law under which this appropriation is being made fixes a limit of \$1,500,000 for the building. The appropriation contained in the amendment of the Senate committee is for the purchase of a site. A part of the site is already owned by the Government, consisting of Ohio Avenue, which it is proposed to condemn. The land which is to be acquired consists of a lot on one side of that avenue and a lot on the other side of it, the entire tract lying between B and C Streets NW., and Thirteenth and Twelfth Streets.

There are no available sites owned by the Government. That matter has been canvassed with a great deal of care. It was suggested at one time that this archives building be located on the land that has been cleared of buildings lying between the Senate Office Building and the Union Station. The Secretary of the Treasury advises that the land is not adapted for the construction of such a building as is provided for by the act, and, furthermore, it is urged that that land has already, by act of Congress, been cleared of the buildings that were on it in order that there might be an open space in front of the Union Station.

Some other sites have been suggested, near the Library of Congress, and they could be acquired, and they probably would be more desirable than this site, as the archives building would be located very close to the Library of Congress. But whereas this site could be acquired at approximately \$3 a square foot, sites near the Library of Congress would cost in the neighborhood of \$5 a square foot. This site is held under an option secured by the Secretary of the Treasury at a value which is somewhat less than the value arrived at by taking as a basis of the computation the assessment for purposes of taxation, which is, as has been stated by the Senator from Arkansas [Mr. Robinson], two-thirds of the value of the property.

I want to call attention to a letter from a former Secretary of the Treasury, Mr. W. G. McAdoo, addressed to the Speaker of the House of Representatives, in regard to this proposed site. It is dated November 13, 1918, and in explanation of the letter, before reading it, or having it put in the Record, I call attention to the fact that the law authorizing this building created a commission for the purpose of approving the site and approving the plans for the building. That commission consisted of the Vice President, the Speaker of the House of Representatives, the Secretary of the Treasury, the Secretary of War, and the Secretary of the Interior. It was presented to the commission by the Secretary of the Treasury, in pursuance of the authority and the direction of the act of 1913, along with the plans and in the performance of the functions of that commission, the site was approved by them. I have here a photographic copy of the original approval from the Office of the Supervising Architect of the Treasury, containing the diagram of the proposed site, which is set out in the report of the Public Buildings Commission, to which the Senator has already referred. The Secretary of the Treasury, in the letter I have just mentioned, said:

In order to care for the great increase in Government records created by the war it is necessary to act immediately in accordance with the provisions of the legislation of March 4, 1913, authorizing the Secretary of the Treasury to acquire a site and erect an archives building.

The proposal is to build at once a portion of the interior or storage section of the building with a cubical content of 3,000,000 feet, and to leave the construction of the remainder of the storage section and the architectural treatment to be dealt with when times become normal. In this way necessary future expansion has been provided for.

The construction is to be of reinforced concrete. The building is so designed that the regular Government filing cases can be transferred to it together with their contents. Each department may control its own records.

The site is the one suggested in the Congressional Public Buildings Commission's report (S. Doc. 155, 65th Cong., 2d sess.), between B and C, Twelfth and Thirteenth Streets NW. One-third of the land is now owned by the Government—the easterly end of Ohio Avenue. This avenue has already been closed by legislation between Fourteenth and Fifteenth Streets. The full legal value on the assessor's books is \$475,805. The department is informed that there exists a likelihood that this site may be purchased for less than that figure.

The portion of the building now to be constructed will cost approximately \$1,500,000; i. e., not to exceed the limit of cost. Existing legislation provides for constructing a portion of the building to meet immediate needs.

In view of the urgent necessity of protecting the Government's records from fire and from destruction through lack of storage space, there are hereto attached for your consideration the designs and estimates for a building and site. If the same meets with your approval,

it will be greatly appreciated if you will indicate, as a member of the commission provided for by the act of March 4, 1913, your approval of the said designs and estimates and the purchase of the site. Approval by the commission will enable the department to carry out the provisions of the aforesaid act.

It was in response to that letter that the design and the diagram of the site were approved by the commission in the report which I now have on my desk.

The VICE PRESIDENT. May I inquire of the Senator from Washington how the commission proceeded without consulting me about the matter?

Mr. POINDEXTER. I submit the report to the Vice President.

The VICE PRESIDENT. I was on the commission. I do not know why they should go ahead and buy sites without consultation with me.

Mr. POINDEXTER. It contains the signature of the Vice President.

The VICE PRESIDENT (examining paper). It contains my signature as to what the cost will be but not as to the purchase of any ground.

Mr. POINDEXTER. I have just read the letter from the Secretary of the Treasury, submitting the document which I had handed to the President of the Senate.

The need for an archives building has been presented so many times, and the proof of it is so voluminous that I do not consider it necessary to go into that phase of the subject. The effort to carry out the law and to preserve the invaluable records of the Government from destruction by fire and other elements has been going on for a great many years and has finally resulted in the action of the committee in recommending this appropriation.

Reports from the heads of departments indicate the character of records which have been destroyed in numerous fires, some of which have recently occurred; the fact that they can not be replaced; that they are of a value to the Government which can not be estimated in money, many of them having cost the Government millions of dollars to secure. Records of the Coast Survey, records of the Land Office involving titles to patented lands which the Government of the United States has conveyed, records of the Army, and, as has been frequently called to the attention of Congress, such priceless documents as the original copies of the Declaration of Independence and the Constitution of the United States are now being kept in buildings which are inflammable and which on any occasion might be the subject of a fire which would destroy those documents for which this archives building is intended.

There is one other item that is very frequently overlooked in the consideration of the question, and that is not only the need of space for preserving the files of the Government which have now grown to the enormous proportions referred to in the report of the Public Buildings Commission, but the necessity for space for their scientific and orderly arrangement, so that they will be available for the use of the Government and for people who desire to have access to them. They are now heaped up like cords of wood, tied up in bundles, and stored in garrets and cellars, so that they are not only subject to destruction, but they are beyond the reach of the people and the officials of the Government who have occasion to use them. It has been demonstrated on various occasions that the construction of the building would be an act of economy by releasing for more valuable purposes space which is now occupied by the tons and cords of public records which are stored entirely in a condition in which they can not be used. By erecting a building especially adapted for their arrangement and their preservation, much of the space now occupied by them will be available for use by employees of the Government in carrying on the Government work.

Mr. UNDERWOOD. When this item was before the Senate on Saturday I asked the question whether or not the carrying out of the plan contemplated in the amendment intended to close any of the streets or avenues in that section of the city lying south of Pennsylvania Avenue and between there and B Street. I was informed that it did not. I now understand from the statement of the Senator from Washington that it is proposed as a part of the plan to close Ohio Avenue. Is that correct?

Mr. WARREN. I understand that is correct. Of course, it was done some time ago. Perhaps I may have misinformed the Senator as to the closing of streets, but I was not cognizant of the intention to close any street other than what had already been provided for.

Mr. UNDERWOOD. I will say to the Senator that I think the Government, for the purpose of building for the State Department, the Department of Commerce, I think it was, and the Department of Justice, bought three blocks of land lying

between B Street and Pennsylvania Avenue, Fourteenth and Fifteenth Streets. In providing for that purchase there was possibly some legislation looking to the closing of the streets, but it did not relate to the property lying between Thirteenth and Twelfth Streets. Of course, the probabilities are that it would be many years before the property purchased by the Government would be utilized for the purposes contemplated when it was purchased some years ago. I am talking about property lying between Fourteenth and Fifteenth Streets. I desire the Senate to understand what it is doing in the matter if it proposes to close that avenue. It has not been authorized heretofore except possibly between Fourteenth and Fifteenth Streets.

Mr. POINDEXTER. I do not know whether the Senator noticed the letter which I just read from the Secretary of the Treasury. It stated that this avenue between Fourteenth and Fifteenth Streets has already been closed by legislation.

Mr. UNDERWOOD. It may have been closed. I have not looked up the legislation, but I have heard that asserted before. Possibly the authorization to close it may have been incorporated in some legislation of the past, but instead of closing it the Government has very recently paved Ohio Avenue to make an outlet for that section of the town that can not get out on Pennsylvania Avenue now. I say they can not get out; they can not get out without very great difficulty. I refer to all that part of the population of Washington which lies below Pennsylvania Avenue west of Fifteenth Street; and we must bear in mind that south and west of Fifteenth Street and Pennsylvania Avenue there are probably from 20,000 to 30,000 Government clerks working. I am not accurate in my statement, but it is a very large number of clerks. All the clerks who work in the Department of the Interior are employed in that section of the city, and all the clerks who work in the Navy Department and the War Department in what is known as the Munitions Building, on B Street, are employed in that section of the city, and in the temporary buildings there is a large number of other employees who go there to work. Many of them come in their automobiles. I do not suppose it has been intentional, but as a matter of fact that section of the city has been practically cut off. It is very difficult to come eastward on Pennsylvania Avenue because of the congested condition at H and Fourteenth, but it is open. At Fifteenth and Pennsylvania Avenue, at the Treasury Department, it is closed for eastbound traffic.

Mr. POINDEXTER. At that point it is very easy to turn east on C Street to get into Pennsylvania Avenue. There is a very broad open avenue in front of the Treasury Building leading into Pennsylvania Avenue, one of the broadest and one of the most used thoroughfares in the city.

Mr. UNDERWOOD. The Senator can make that statement, but he does not happen to go that way everyday in his car as I do, or he would know the difficulty. When you get to the street that lies between Pennsylvania Avenue and the Treasury Department, there is a narrow congested street leading into Pennsylvania Avenue with restrictions of traffic making it very difficult to go through that way in the crowded hours of the morning and evening. The next street below there, probably C Street, the street that lies one square to the north of the old Emergency Hospital, leads to and stops at the Municipal Building, and one has to turn, to come back into Pennsylvania Avenue, through the congested section at Fourteenth and Pennsylvania Avenue. The next street that one enters has been cut off by a park at about Twelfth or Thirteenth Street. Every means of getting out of that neighborhood seems to have been deliberately cut off by the District Commissioners.

Mr. POINDEXTER. Is not B Street open?

Mr. UNDERWOOD. Of course, B Street—

Mr. POINDEXTER. And C and D Streets?

Mr. UNDERWOOD. C Street is what I am talking about. That is congested and cut off at the eastern end of it. B Street could be opened if we would remove the market. I talked to the Commissioners about that some time ago. Farther up B Street is now used for the open wagon market and they do not want to disturb that market condition. Finally they agreed to pave Ohio Avenue to its junction, I think, with perhaps Delaware Avenue or another avenue that will bring traffic back into Pennsylvania Avenue at about Seventh Street.

If you close this street you are going to cut off practically the only opportunity for people living in that section of town to get out conveniently. I do not say that they can not get out. They can go up to I Street and come out, or they can go through south of the Treasury Department where the traffic is now congested and where it is dangerous for foot passengers and people riding in automobiles. For the purpose of picking out one block on which to erect a building, in order that some one

who owns the particular block may sell it to the Government, I think it is entirely wrong to close up that street and further congest the traffic.

It affords practically the only egress there now is from a densely populated section of Washington. More than that, behind it are activities of the Government employing 20,000 or 30,000 clerks who have got to come in there every morning and go out every evening. Of course, if Congress has made up its mind that the block proposed is the only one in the city of Washington which can be used and that, not in itself being large enough, it will be necessary to take an avenue away from the people in order to erect the kind of building that is desired, I can not help myself; but I know that that section of the town is now congested to such an extent that life and property are endangered and that condition ought not to be further permitted.

So far as the erection of the archives building is concerned, I am as heartily in favor of it as is the Senator from Washington. I think that such a building is badly needed; that it is necessary for the preservation of the documents and records of the Government; but I had a great deal rather see Congress take the block which the Government now owns between B and C and Fourteenth and Fifteenth Streets, which was originally purchased for the erection of a State Department building. That land will certainly not be utilized for that purpose for 15 or 20 years to come. Since the War and Navy Departments have moved into their new buildings on B Street there is ample room for the State Department in the old State, War, and Navy Building. We could take the other block without any cost to the Government—the Government owns it now—and could thereby save a half million dollars and it would be a better block on which to erect an archives building. It is a large block, and its utilization would not close any street.

Mr. WADSWORTH. Where is the block to which the Senator from Alabama refers?

Mr. UNDERWOOD. The block about which I am speaking is one which was purchased some years ago for the erection of a State Department building and lies down at the end of Fifteenth Street, just at the entrance to the Mall. It is across the street from the block it is now proposed to purchase. The block of which I am speaking, which the Government now owns, lies between Fourteenth and Fifteenth and B and C Streets. It is directly adjacent to the property which it is proposed to buy and which is narrowed by the angle of Ohio Avenue. The block down between Thirteenth and Fourteenth Streets is a narrow and small block, while the one of which I am speaking is one of the largest blocks in town. It is entirely available for the purpose, and, as I have stated, could be used without costing the Government a nickel.

I am not in favor of being so insistent in reference to the proposition of erecting an archives building that we should determine that there is but one site in the whole city of Washington which may be used, especially in view of the strain and stress on the Treasury. I can not understand why the committee is not willing to take a site which has already been purchased, which belongs to the Government, and which can be used without cost; and at some time in the future—10, 15, or 20 years from now—when it is desired to erect a State Department building, we can buy a new piece of ground and put that building on it.

Besides that, we shall have two other blocks left there which are not being utilized at all. I refer to the blocks on which the theater is now located on Pennsylvania Avenue and the block behind, that on which stands the former Emergency Hospital. Those blocks still belong to the Government and may be utilized for the erection of a State Department building. It is now proposed that, of necessity, we must go down here and buy a new block of land, at a cost of a half million dollars, and close up the only street which can be used in order to afford access to the business district of the town. I think it is all wrong.

Mr. POINDEXTER. If the block which the Senator from Alabama suggests be used it will necessitate the closing of the same street.

Mr. UNDERWOOD. It will not be necessary to close the street at all. The Government owns that block, and there is a large temporary building on it now.

Mr. POINDEXTER. The street has already been closed, so far as the law is concerned; it may not have been physically closed, but it was ordered closed by act of Congress.

Mr. UNDERWOOD. So long as it is not physically closed, the people can use it, and they are using it. However, at the time it was closed by law the present congested condition did not exist; Pennsylvania Avenue at Fifteenth Street was not blockaded; the restriction of traffic by the extensive use of

automobiles had not occurred when that property was bought, and Ohio Avenue was ordered closed.

I do not care to interfere with the committee in its arrangements, but I think it is absolutely a wrong to a large number of people in the town to blockade and congest the streets which they have to use in order to reach their business. I know this is so, because I live in that portion of the town. I know that in order to get out comfortably and not have my car in danger of being run over every morning when coming to the Capitol, I have to come down through the Mall or go clear up to I street. I know that is also true as to thousands of other people. It is not theory with me. I know it is a fact.

I really think the wise thing to do would be to take the other block to which I have referred, which the Government now owns, and erect the archives building on it, and not spend \$500,000 for the purchase of more land. The amendment which I offer is to insert a proviso at the end of the paragraph which will read:

Provided, That no streets or avenues shall be closed or utilized for the purpose of the erection of the archives building.

Mr. FLETCHER. Mr. President, may I ask the Senator if there is any objection anywhere, or does the committee find any real reason why they can not avail themselves of the block to which the Senator has referred? It seems to me that is an important matter. If that property is available, why not utilize it and why not amend the provision so as to describe that property as the location for the archives building instead of having to buy another block?

Mr. UNDERWOOD. I agree with the Senator. I think it would be very wise to do that, particularly in view of the fact that we do not want to spend money in these days ill-advisedly. The block is available. I will not say it is unused, because it is being utilized, there being a temporary building on a part of it in which clerks of the Internal Revenue Bureau are being housed, and there are other temporary buildings; but those clerks could be shifted. The cost of tearing down the present temporary structures would be very small, for those structures will fall of themselves in a few years. That property could be utilized and the Government saved the money that is now proposed to be expended for the purchase of another block.

The primary object that I have in mind is to safeguard the right of the people who live in that neighborhood to a means of egress. Congress has no right to go on closing one street after another, thereby preventing them from getting out to the business sections of the town.

I am not a member of the committee, but I should much prefer to utilize the block of which I speak. That could be done, and I do not know why it has not been done.

Mr. FLETCHER. It strikes me that is the very thing to do, and unless I hear some argument against it or some reason to the contrary, I shall feel like voting for an amendment of that kind.

Mr. SMOOT. Mr. President, I was out of the Chamber for a moment. Did I understand the Senator to say that the block on which Poli's Theater is located is not used?

Mr. UNDERWOOD. No; the block of which I was speaking is the one between Fourteenth and Fifteenth and B and C Streets, where a temporary building is now erected which houses clerks of the Internal Revenue Bureau.

Mr. WARREN. The one directly south of Poli's Theater?

Mr. UNDERWOOD. Yes; the block south of Poli's Theater. It adjoins the very block for which it is proposed to pay half a million dollars; it belongs to the Government, and I think the Government itself is not going to use it for many years for a State Department.

Mr. SMOOT. I will say to the Senator that we would have to use a part of a block now proposed to be purchased if the property suggested by the Senator were utilized, because there is not space enough on that property upon which to erect the proposed building.

Mr. UNDERWOOD. I am familiar with the block of which I am speaking, and I will say to the Senate that it is larger than the block which it is proposed to buy with Ohio Avenue thrown in; it has more square feet of space in it.

Mr. POINDEXTER. But the law has fixed upon that property conditions as to its use, namely, that it shall be used for the erection of buildings for the Departments of State, Justice, and Commerce.

Mr. UNDERWOOD. I am aware that the law so requires; but I suggest that we can change the law in that respect, as we did in the case of the Interior Department. The block on which the Interior Department is now located, between E and F and Eighteenth and Nineteenth Streets, was purchased for an archives building; but Congress changed the law and provided for the erection of a building for the Interior Department on that block and took the land for that purpose. There was

nothing wrong in that. The block that was originally purchased for the archives building is not as large a piece of land as the block of which I am speaking and which was bought originally for the purpose of erecting a building for the State Department. Nothing can be said against its accessibility, because it lies right next to the piece of land which it is proposed to buy.

Mr. POINDEXTER. I will say to the Senator, if he will allow me, that if he will examine the block he will find that it is not available for use for either one of these purposes without closing Ohio Avenue, which has already been done by law.

Mr. UNDERWOOD. I have examined the block; I go by there pretty nearly every morning. Until the war came on it was occupied by lumberyards. It will not be necessary to close Ohio Avenue in order to erect a suitable archives building on it.

Mr. POINDEXTER. The property is divided by Ohio Avenue; part of it lies on one side and part on the other.

Mr. UNDERWOOD. The Senator is mistaken, I think, because I go by there every morning and am familiar with the locality. I say it will not be necessary to close Ohio Avenue in order to utilize the block, and there will be more space in that block than in the one which it is proposed to buy for the building at a cost of a half million dollars and involving the closing of Ohio Avenue.

I do not wish to interfere with the committee about matters of this kind, but certainly the people who live in that vicinity ought to have some rights, and Congress should not take their rights away from them.

Mr. POINDEXTER. I should like to call the Senator's attention to the suggestion in the report of the Public Buildings Commission, on page 84, as follows:

In 1908 Congress authorized and directed the Secretary of the Treasury to acquire, for the use and accommodation of the Departments of State, Justice, and Commerce and Labor the area south of Pennsylvania Avenue between Fourteenth and Fifteenth Streets, and to include the inclosed streets as a portion of the site. The appropriation was \$2,500,000. The price actually paid was \$2,459,831.08.

Mr. UNDERWOOD. Mr. President, I have not examined lately the legislation to which the Senator refers, although I am familiar with it. As I said a while ago, I understand that the law authorized the closing of Ohio Avenue, but at the time that was authorized there did not exist the congested condition of traffic which now exists in that neighborhood. In the first place, there were no departments down there. The only departments that might be classed as being there were the State, War, and Navy Departments, to which there is access from Pennsylvania Avenue. Now, however, there is the new Interior Department there, and also the new buildings of the Navy Department, the Munitions Building of the War Department, and a large number of temporary buildings; so that there has resulted a severe congestion of traffic. I know that recently the District Commissioners paved Ohio Avenue, so that the people may find a means of egress without endangering their lives, but now, because apparently it is desired to obtain a particular piece of land and no other piece of land in the District of Columbia is considered available, it is proposed to close up that avenue. I do not think it ought to be done.

Of course, I realize that the provision in the bill is probably subject to a point of order, but I am not going to make a point of order, for I am in favor of erecting an archives building; I have been in favor of it for many years, and I want to see one erected, but I think that we ought not to do so by jeopardizing the rights of people who can not help themselves. I think we ought to attach the amendment I have proposed to the provision, and then if the committee find out that they have not enough land they can either come back to the Senate and ask for further instructions or agree in conference to take the other block. That is really, in my judgment, what they ought to do anyhow, for it would save the Government a half million dollars.

There is not a Senator on this floor who does not know that it will be 15 or 20 years before a building for the State Department is erected on the other block, if it is ever erected. You are just wasting the Government's money and not utilizing the property that the Government has.

Mr. ROBINSON. Which block does the Senator from Alabama propose to use?

Mr. UNDERWOOD. My amendment does not propose to use either, because I am not trying to interfere with the committee; but the one I suggested is the block lying adjacent to this one, but west of it, that already belongs to the Government. The Government bought it years ago and owns it now and can utilize it for this purpose if it wants to—the block between B and C and Fourteenth and Fifteenth Streets.

It is just as big and in fact a little bit larger, in my judgment, than the original block that the Government bought for this purpose, where the Interior Department is now located;

but I hope the Senate will at least agree to the amendment I have offered, providing that they shall not, under the guise of this building, close a street that is necessary for traffic.

Mr. ROBINSON. Mr. President, what the Senator from Alabama has said has confirmed me in the conviction that this is the wrong site for this building. The two blocks, 294 and 295, proposed to be used are really almost triangles, according to the plat presented in the report of the Public Buildings Commission, referred to by the Senator from Washington. The broad end of square 294 abuts on Twelfth Street and the narrow end of square 295 abuts on that street, Ohio Avenue passing between them at an obtuse angle, making both of the blocks almost triangles.

It is manifestly unnecessary to close Ohio Avenue. It would seem to be much better to locate this building up here by the Library Building, where persons who find themselves under the necessity of using the records and books there may have easy access to the records in the archives building. In any event, the location proposed does not seem to me to be a very desirable one, and I am convinced from an inspection of the Public Buildings Commission's report that some of the members of the commission, in approving the plans and specifications, did not intend to commit themselves to this site. As a matter of fact, I am sure that is true.

To close Ohio Avenue will work great inconvenience to the public. To use the block referred to by the Senator from Alabama will not inconvenience the public, and it will save the Government half a million dollars. We can very readily find another site, and perhaps one more appropriately located, for the construction of the judiciary building, if we ever decide to construct that building.

I am convinced that the amendment of the committee should not be agreed to.

Mr. SMITH of Arizona. Mr. President, if the Senator will permit me, what use, if any, is the Government making of the property it is alleged to own near the Treasury Department, and right across Pennsylvania Avenue from the Willard Hotel? Both the department of which the Senator speaks and this one can be easily accommodated there.

Mr. ROBINSON. The Senator lives just across the street from that block, and he knows that it is being occupied now by a theater building and sundry private businesses that might very well give way to a public use, in view of the long period that the Government has owned the property.

Mr. SMITH of Arizona. It seems to me especially desirable in view of the convenience of its location to other public buildings, such as the Treasury Department and the State Department.

Mr. ROBINSON. Yes; that is a very pertinent suggestion.

Mr. KING. Mr. President, from the statements which have been made by the Senator from Alabama [Mr. UNDERWOOD], I confess that I am loath to vote for the amendment, yet I appreciate the necessity of the Government acquiring or building at an early date a suitable archives structure.

I wish that the matter could be left in a little more flexible state. I should like to vote for an amendment directing some commission or authorized governmental agency to make further and adequate investigation to determine upon a suitable site for an archives building, and if, upon such investigation, they shall discover that there is a plot of ground owned by the Government that is available and more suitable than the site referred to in the amendment, directing them to select that, and then report back to Congress and receive authority for proceeding, and, if they fail, making this appropriation available.

If Congress were to be adjourned for a long period of time, I realize that the suggestion which I make would not be feasible; but in view of the fact that Congress is to be in session for the next five or six months, at least, with a very short intermission, the plan which I have suggested could be very readily carried out.

Of course, the committee have given this matter attention, and I am at a disadvantage, as other Senators are, in making practical suggestions. I wish the committee would revise this amendment, and suggest one which would be more in conformity, I think, with the views of the majority of the Senate.

Mr. POINDEXTER. Mr. President—

Mr. KING. I yield to the Senator from Washington.

Mr. POINDEXTER. I want to suggest to the Senator from Utah that the course which he recommends has already been pursued.

Mr. KING. May I inquire of the Senator whether the commission felt that existing law—the law to which the Senator has called our attention—permitted them even to contemplate the selection of that site for the erection of an archives building? I can readily appreciate that that law would stand as a

barrier against investigation by them of the feasibility of selecting it as a site. Now, if they felt that they could invade—if I may be permitted that expression—lands owned by the Government, and select a site upon those lands, it may be that they would be very glad to revise the judgment which they have reached, and to make a recommendation entirely different from that which we find embodied in this measure.

Mr. POINDEXTER. They would be confronted by the same condition that confronted them before—that the law segregated that property for another use. I assume that they would not be authorized to consider its use for an archives building unless Congress released it from the purposes for which it was expressly acquired.

Mr. KING. Mr. President, if the Senator will pardon me, I did not make myself clear. I appreciate that fact; and the suggestion which I intended to offer was that they investigate further, with the understanding that they are at liberty to make investigation of the feasibility of erecting this building upon lands already owned by the Government, and if they do find an available site which by law has been dedicated to some other purpose, then make their report to Congress; and if Congress acquiesced in their views they could very promptly repeal the existing law and devote the recommended site to the archives building.

Mr. POINDEXTER. One of the members of this commission was the Secretary of the Treasury. In fact, he was the active member of the commission, and had the initiatory responsibility under the law. The law authorized and directed him to select a site, and then to acquire a site or to purchase it when it was approved by the commission; but the selection in the first instance of a site to be submitted for the consideration of the commission devolved upon the Secretary of the Treasury under the very explicit language which I have just cited, which authorized and directed him to do so.

I am informed that he was exceedingly diligent in making the very inquiry that the Senator from Utah has suggested, as to whether or not there was any available property already owned by the Government that was suitable for this purpose, but without success. Such lands as were owned by the Government either had been devoted by law to some other purpose, or were not suitable for the erection of a building with the opportunities for expansion that are required under the terms of the archives building act. The Senator from Utah realizes the fact that this building must be subject to expansion as the archives of the Government accumulate, and one of the conditions of the site is that there shall be room for that growth.

Mr. KING. Mr. President, I regret very much that I feel constrained to take the action that I am about to take. I am in favor of this archives building, but I am not ready to vote to expend half a million dollars to purchase ground for this building when, from the information which we have, the Government has land which is adequate for this building and perhaps more suitable.

I make the point of order against the amendment.

Mr. WARREN. Mr. President, the point of order would hardly lie against this amendment. It is estimated for. It is provided for by legislation heretofore. It has come in from a regular standing committee, and the appropriation has been recommended. I know of no point of order that can be made against it that would defeat the amendment in that way.

Mr. KING. Does the Senator mean that there is an existing law authorizing this?

Mr. WARREN. The commission that was appointed and the Public Buildings Committee have acted on it. It was some years ago, it is true. The amendment has come in here at times and has been voted out, but the point of order has not been raised, and I think can not be successfully raised, against it. The estimates are here not only for the site but for the building proper; and, as I say, it was considered by the committee and recommended. On what ground does the Senator base his point of order?

Mr. KING. The point of order which I was about to suggest was that the provision was contrary to existing law and had not been properly estimated for.

Mr. WARREN. It is not contrary to existing law and it has been estimated for.

Mr. KING. Then, of course, I concede that my point of order would not be well taken.

Mr. WARREN. Of course, the subject is open to amendment. It is a committee amendment and it is open to amendment, but I do not believe it can be cut out on a point of order.

Mr. KING. I do wish, however, that the chairman of the committee and the members of the committee, who, I know, are desirous of enforcing all possible economies, would accept an amendment under the terms of which the commission would be

required to make further investigation, with a view to ascertaining whether a suitable site for this building is not now owned by the Government, and if they find that there is not such a site, then that this provision may be availed of in order to construct the building.

I wish the committee would propose that amendment. I have such confidence in the attention which they have given to these subjects that I hesitate to offer an amendment myself.

In view of the statement of the Senator from Wyoming, Mr. President, I withdraw my point of order.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Alabama to the amendment of the committee.

On a division, the amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, I would like to state to the Senator from Wyoming that before the bill leaves the Senate I shall offer an amendment along the lines which I have indicated. I do not want to interrupt the proceedings of the Senate now in the further consideration of the bill.

The VICE PRESIDENT. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. The next amendment of the committee passed over begins on page 20, known as the hospital amendment, to which a substitute has been offered by the Senator from Arkansas [Mr. ROBINSON].

Mr. ROBINSON. I have slightly modified the substitute, and I offer it in the language which I send to the desk. I withdraw the amendment heretofore offered and offer the following.

The VICE PRESIDENT. The amendment offered by the Senator from Wisconsin [Mr. LENROOT] is in order, proposing to amend the part of the committee amendment for which the Senator from Arkansas is offering a substitute. The Secretary will state the amendment of the Senator from Wisconsin to the amendment of the committee.

Mr. ROBINSON. If the substitute should not be agreed to, other amendments to the text of the committee amendment would be in order.

Mr. WADSWORTH. Does the Senator from Arkansas ask that his amendment may be read?

Mr. ROBINSON. I will make that request in a moment.

The VICE PRESIDENT. The Secretary will read the amendment of the Senator from Wisconsin to the amendment of the committee.

The ASSISTANT SECRETARY. The Senator from Wisconsin proposes, at the end of line 16, on page 22, to insert:

Three of said hospitals may, in the discretion of the Government lands and buildings commission, be utilized for neuropsychiatric patients and two for tuberculosis patients.

The VICE PRESIDENT. The question is on the amendment to the amendment.

Mr. SMOOT. Mr. President, may the Secretary again read the amendment to the amendment?

The VICE PRESIDENT. It will be again read.

The Assistant Secretary again read Mr. LENROOT's amendment to the amendment of the committee.

Mr. LENROOT. Mr. President, this matter was discussed the other day. I understood the Senator from Arkansas to state that he would offer an amendment which would leave fullest and freest discretion in this matter, and I stated I would be glad to accept the amendment. I had therefore not further attempted to modify the pending amendment. But I do not think the Senator from Arkansas or any other Senator desires to have this language remain as it is, which, at least in my construction, would compel each one of the hospitals to accept both classes of patients.

Mr. ROBINSON. I did not understand that the Senator from Wisconsin expected me to perfect his amendment in the line of the suggestion he made at the time, and I have not attempted to do so. I agree with the Senator from Wisconsin that the language of the committee amendment ought to be modified, and unless it is modified both neuropsychiatric patients and tuberculosis patients will have to be treated in all the hospitals. The suggestion was that the limitation ought to be taken out, and that all the hospitals ought to be available for either class of patients. So I merely suggest to the Senator that he strike out the word "and" in the committee provision and insert the word "or," so that it will read "neuropsychiatric or tuberculosis patients," and then the Public Health Service would have a free hand in the treatment of patients.

Mr. POMERENE. Mr. President, will the Senator allow me to make a further suggestion?

Mr. ROBINSON. I have not the floor.

Mr. LENROOT. I yield to the Senator from Ohio.

Mr. POMERENE. I am very much impressed with the fact that the health or medical authorities should have full dis-

cretionary power in this matter, and for that reason I would suggest the striking out of the word "and" and inserting, after the words "tuberculosis patients," the words "or both, as the board may, in its discretion, determine."

Mr. LENROOT. I think that would make the matter clear. I shall be glad to accept that modification.

Mr. POMERENE. My thought was that this power should be lodged in the discretion of the health or medical authorities.

Mr. LENROOT. I would suggest that we make it read the Surgeon General of the Public Health Service.

Mr. POMERENE. That would be better. I am not quite sure that I may offer an amendment at this time, under the rules.

The VICE PRESIDENT. If the Senator from Wisconsin withdraws his amendment, then the Senator from Ohio would be in order in offering an amendment.

Mr. LENROOT. I withdraw my amendment to the amendment.

Mr. POMERENE. Then, I move, in line 9, page 22, to amend by striking out the word "and" and substituting therefor the word "or"; and after the word "patients" to insert the words "or both, as the Surgeon General may determine."

Mr. WARREN. There is no objection to that on the part of the committee.

The VICE PRESIDENT. The Secretary will report the amendment to the amendment.

The ASSISTANT SECRETARY. On page 22, in the proposed amendment of the committee, on line 9, strike out the word "and" before the word "tuberculosis" and insert the word "or"; and after the words "tuberculosis patients" at the end of line 9 insert the words "or both, as the Surgeon General may determine," so as to read:

The appropriations hereinafter made shall include and provide for five hospital plants of fireproof construction for the treatment of neuropsychiatric or tuberculosis patients, or both, as the Surgeon General may determine, and shall be located as follows.

The amendment to the amendment was agreed to.

Mr. WADSWORTH. May I ask the chairman of the committee in charge of the bill if he has given any consideration to the question that may arise with respect to the power given to the Government lands and buildings commission? As I understand it, that commission, which is to be composed of the President of the Senate, two Members of the House to be appointed by the Speaker, the Surgeon General, the Supervising Architect, and a member of the National Home for Disabled Volunteer Soldiers' Board, is to have the power to take any Government property away from an existing executive department and assign it to the Public Health Service or to the Treasury Department. Would not that constitute, in some instances at least, an invasion of the prerogatives of the Chief Executive? Many statutes have been passed, I have no doubt, in the past authorizing the President of the United States to acquire property for the use of one of the departments. Now it is proposed to erect an outside commission, as it were, and authorize that commission to take that property away from the Navy Department, the Interior Department, or the War Department and assign it to the Treasury Department, without permitting the President to have anything to say about it. Would it not be wise, in other words, to put in a qualifying clause at the proper place in that paragraph, on page 23, somewhat to this effect, "with the approval of the President"?

Mr. WARREN. Mr. President, I think there is wisdom in the remarks of the Senator from New York. The chairman of the subcommittee which presented the amendment, the Senator from Washington [Mr. JONES], does not happen to be in the Chamber just now, but I do not believe that the intention of the subcommittee was to exercise any strong-arm business in obtaining sites for the hospitals. I think the intention was, and certainly is so far as I am concerned, to try to utilize those places which the Government owns—and they are very numerous in all parts of the country—and to do it with practical unity and without any differences between the heads of departments and this commission.

But I see the Senator from Washington has returned to the Chamber, and I shall ask him to reply to the Senator from New York, who has suggested the amendment.

Mr. WADSWORTH. I will say to the Senator from Washington that I was calling the attention of the Senator from Wyoming to a certain phase of this subject covered by the committee amendment on pages 22 and 23 with respect to the Government lands and buildings commission. The language as it is printed in the bill gives the commission the absolute power to take property away from one department of the Government and give it to the Treasury Department, as I understand it; or, at least, it gives to the Secretary of the Treasury the right to secure the property, as may be approved by the commission,

thereby depriving the President of the United States, as the Chief Executive and the head of all these departments, of any say in the matter. My suggestion was that some thought be given to that, and that an appropriate qualifying clause should be put in which shall give the President the right to approve or disapprove of the proposed transfer of property under his jurisdiction, because all this property is under the jurisdiction of the President of the United States as Chief Executive, as I understand our structure of government.

Mr. WARREN. I will call the attention of both Senators to what we cut out, and in cutting it out I do not consider that the idea was to empower the commission to do what the Senator from New York fears. The old section 3 read as follows:

The Secretary of the Treasury in securing sites herein provided for may request the Secretary of any other department of the Government to transfer to the Treasury Department such land or lands and buildings under his control, not required for other purposes, as the Secretary of the Treasury may deem suitable, and other departments are authorized to make such transfer to the Treasury Department as may be deemed to be in the interest of the Government.

Mr. JONES of Washington. Mr. President, I see no objection to the suggestion of the Senator from New York, and assuming that the President does have the control of this property, if the Senator will suggest some qualifying language, I will have no objection to putting it in and letting the matter go to conference and be worked out there.

Mr. WADSWORTH. I glanced at it very hastily, and it may not fit, though I think it will. I suggest this amendment, on line 7, page 23, after the word "accept," insert the words "with the approval of the President," so that it will read:

The Secretary of the Treasury shall secure or accept, with the approval of the President, such sites as may be approved by the commission.

And so forth.

Mr. JONES of Washington. I do not see any objection to that suggestion.

Mr. WADSWORTH. I offer that as an amendment to the amendment of the committee.

Mr. WARREN. The amendment to the amendment is accepted on the part of the committee.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The READING CLERK. On page 23, line 7, after the word "accept," insert the words "with the approval of the President."

The amendment to the amendment was agreed to.

Mr. LENROOT. Mr. President, I offer an amendment to the amendment, which I send to the desk.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The READING CLERK. The Senator from Wisconsin moves to amend on page 22, by striking out, beginning in line 20, the following: "Two Senators, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker, who shall serve thereon only so long as they are Members of Congress," and inserting in lieu thereof the words "the Secretary of the Treasury," so as to read:

In carrying out the purposes herein authorized there is created a commission to be known as the Government lands and buildings commission, and hereinafter referred to as the commission, to be composed of the Secretary of the Treasury, the Surgeon General of the Public Health Service, the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office, and the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

Mr. LENROOT. Mr. President, as the amendment now stands it provides for a commission, composed of two Members of the House, two Senators, and three administrative public officials, which shall approve the sites. In other words, the legislative end of the commission will always have a majority. Without, of course, intending in any wise to reflect upon Senators or Members of Congress who might be members of the commission, from experience I have had in these matters, especially as a member of conference committees, I feel very certain that it is not in the interest of the selection of sites upon their merits that they be determined by a congressional commission. I do not believe that any Senator or any Member of the House would welcome being placed upon such a commission, because the inevitable result would be that pressure would be brought to bear for one of the hospitals to be located in the State in which the Senator or Member resides. The hospitals ought to be located irrespective of political pressure and political influence. They ought to be located upon their merits. I think, if Senators will reflect for just a moment, they will see that there is great danger of the selections being made, not upon merit, but because of the influence that a member of the commission may have, with pressure from his own State, for the location of a hospital within that State.

I was a member of the first conference committee, I think, that dealt with hospitals since the war, and from experiences that I had as a member of that conference committee, which I do not care to detail, I am led to make the observations that I have made. I hope the amendment will be agreed to so as to leave the selection of the sites to the administrative officers of the Government and free so far as possible from political influence that might be exerted if this were to be a congressional commission.

Mr. SUTHERLAND. Mr. President, I should like to ask the Senator from Wisconsin if it would not be in line with the purpose which he desires to serve if the Surgeon General and the Supervising Architect were left out, because they are both sub-officers of the Treasury Department. If we place it in the hands of the Secretary of the Treasury, we might as well leave out the other provisions providing that the Surgeon General of the Public Health Service and the Supervising Architect or the Acting Supervising Architect of the Treasury shall be members of the commission, because they are both subordinate officers of the Secretary of the Treasury.

Mr. LENROOT. That is true, I may say; and yet it has been the experience of the past that the Surgeon General very often has made recommendations for the location of a site that have not been agreed to by the Secretary of the Treasury. It does not follow, because the Surgeon General is in the Treasury Department, that the Surgeon General and the Secretary of the Treasury will always necessarily agree, or that the Surgeon General would follow the wishes absolutely of the Secretary of the Treasury. I think there is more independence than the Senator's remarks would seem to indicate.

Mr. HARRIS. Mr. President, I am a member of the Committee on Appropriations, and I regret exceedingly to differ with other members of the committee. I shall favor the amendment of the Senator from Wisconsin. I do not think this matter of location should be left to a commission. I do not like the way the bill provides for locating the hospitals. There are five hospitals located in various sections of the country, three of them in that part of the country where there is about 20 per cent of the population. The other two are located in the eastern section of the country, where there is 80 per cent of the population. I do not think Congress should designate the location of the hospitals. The soldiers are entitled to the best selection that the Government can make. The selection should be left to men who are not interested in their own States from a political standpoint or any other standpoint. I believe that the Secretary of the Treasury would do what is best for the soldier boys of the country.

If the bill is passed as now drawn, my section of the country, the entire South, would be without one of these hospitals. The soldier boys in that section of the country made as good a record as those of any other section. No braver soldiers ever faced an enemy on a battle field; and yet we are left entirely out of the matter in the selection of the five hospitals, and the men will have to go hundreds of miles from home and away from their families and loved ones. The bill is so written that the South will not have one of the hospitals. It is the only section of the country that is discriminated against. I do not care about one section or the other when it comes to the soldiers. I am in favor of locating the hospitals where they will serve the greatest number of soldiers at the smallest expense to the Government.

I hope the amendment of the Senator from Wisconsin will be agreed to.

Mr. ROBINSON. Mr. President, I heartily concur in the proposed amendment of the Senator from Wisconsin. I would think it better if his amendment contemplated striking out all of the provisions in the bill relating to the creation of a commission. The inevitable result of the creation of such a commission as is carried in the committee amendment is a contest for the location of the hospitals, in which political influence will be invited and will control, and the members of the commission, Representatives in the House and Members of the Senate, would be placed under such pressure from their districts and their States that they would be compelled, as a matter of political expediency, to insist upon the location of those hospitals in their own districts and in their own States.

There is nothing in the duties of a Member of Congress or in the training of the ordinary Member of Congress, whether he serves in the House or in the Senate, that especially fits him for service on the proposed commission. In my judgment almost any business man in the United States, of good character and fair ability, would render better service on a commission of this character than the average Member of Congress, whether a Senator or a Member of the House of Representatives. I do not believe there are many Senators present who

do not agree with that statement. The sole purpose and the sole effect of creating a commission dominated by Members of the Congress is to control the location of the hospitals through political influence. That is the very worst thing that could happen in the matter of the selection of a location for the hospitals.

In the first place, in my opinion, there is no necessity for the creation of a commission to locate the hospitals. The Secretary of the Treasury, with those under him, can discharge that duty better than any commission, for the following reasons: The creation of a commission will necessarily occasion delay. One of the purposes of the legislation is, of course, to meet the urgent demands of sick and disabled soldiers for hospital treatment. If we create a commission of Congress and give it power to make investigation, after making the necessary investigation to enable it to perform its functions intelligently, the end of the next year will approach before that commission is ready to report, in view of the fact that contests will spring up all over the United States for the location of the hospitals and hearings will of necessity be had by the commission. If we place in the Secretary of the Treasury the power to locate the hospitals, he can avail himself of every agency and officer in his department, and of all the information that the department has, and reach a far better and fairer conclusion than is likely to result from the creation of a commission dominated by Members of Congress.

The amendment of the Senator from Wisconsin ought to be agreed to for the reasons that I have stated and for many other reasons. We want the work to go forward just as rapidly as possible. The creation of a congressional commission means delay in every instance. There is not a Senator present who does not know that when we create a congressional commission we postpone the day of action indefinitely, and from the beginning that is one thing that I have been trying to avoid.

I have been ashamed of the fact that my Government has failed to make adequate and prompt provision for hospital facilities for the men who served in the country during the Great War recently closed. I have felt ashamed that the Government has been slow in making the provisions which we all concede ought to be made. Then why incorporate in the bill an amendment which contemplates protracted delay? If the commission is to perform its service efficiently, if Members of the Senate and the House who go on the commission are to do their duty intelligently they must start at the beginning to get the information necessary to determine the proper location of the hospitals. The department no doubt already has much of the information necessary. We want the thing to go forward with plans and specifications and work, instead of waiting for political influences to determine upon the location of the hospitals.

I am earnestly in favor of the amendment proposed by the Senator from Wisconsin, and I agree heartily with the suggestion of the Senator from Georgia [Mr. HARRIS] that there is no necessity for a commission.

Mr. JONES of Washington. Mr. President, it seems to me there has been a very serious confession on the part of several Senators as to the motives that would actuate Senators in discharging responsibilities that might be placed upon them by law. If it had occurred to me for a moment that the effect of the provision would be as intimidated by the Senators who have just spoken, I never would have thought to suggest anything of the kind to the committee. I do not yield to any Senator in the desire to take care of the soldiers of the war, and do it just as promptly as possible, especially the disabled soldiers. I do not yield to any Senator in the desire to keep politics out of the matter, either in connection with appropriations or in connection with the location of hospitals. I join with them wholly in that desire, and if I thought for one moment that the commission, with Senators and Representatives upon it, charged with the responsibility of taking care of the soldiers of the country, would allow politics to influence them in the acquirement of these sites, I would not urge the adoption of the committee amendment for one second.

But I have a different opinion than that with reference to Senators and Representatives in Congress. I believe that any Senator and any Representative who might be appointed upon a commission of this kind would do what he thought was for the very best interests of the soldiers and of the Government.

The two things that must be taken into account are not only the interests of the soldiers but the interest of the Government. Assuming that Senators and Representatives would look after the interests of the soldiers uninfluenced by political considerations, uninfluenced by any particular interest for their section or their State, I have an idea that they would do very much toward protecting the interests of the Government. We want

hospital sites. We want them as quickly as possible, and in my judgment we will get them much more quickly under a commission of this kind than in any other way. I will admit that with the amendment of the Senator from Wisconsin the provision would be much better than section 3 of the original Langley bill, proposed as an amendment by the Senator from Arkansas [Mr. ROBINSON], because under that section 3 there is no provision under which, if the Secretary of the Treasury should seek a site from the War Department, the War Department could be compelled to turn it over to him. In other words, if the War Department said, "We do not agree with you," that would end it. My observation and experience have been that the War Department never lets loose of anything that it has until it is compelled by law to do so, or else is absolutely compelled by public sentiment to do it. So if the Secretary of the Treasury should determine that land in some military reservation, that has possibly never been used by the Government but is still reserved as a military reservation, was a good site for one of these hospitals and should ask for the land, the Secretary of War would not turn it over to him.

Mr. SMITH of Arizona. If the Senator will permit me, I should like to give him a concrete instance in support of the statement which he has just made. There was a proposition to transfer to the Treasury Department for the care of soldiers Whipple Barracks, located in Arizona. That site is very suitable for the purpose, and there are a considerable number of sick soldiers there now, the buildings there being well adapted to the purpose of caring for them. In connection with a measure proposed by me I was able to secure an expression of the sense of the Senate that those barracks should be turned over to the Public Health Service, but the Secretary of War sent a letter to the chairman of the Committee on Military Affairs, and I think also to the conferees on the bill containing the provision referred to, stating that the War Department at some time might want the barracks, when, in fact, for the last 15 years efforts had been made to get rid of it as a military establishment.

Mr. JONES of Washington. That merely confirms what I have in mind. I have had a little personal experience, not in connection with the care of sick soldiers or anything of that kind, but illustrating the general proposition. There are some lands within my State which have been held as a military reservation for many years—I do not know how long—but have never been used as a military reservation. No suggestions have been made to Congress that they should be so used or should be improved or anything of that sort. Those lands were away off on some of the islands in an outlying section of the State. Some little time ago our State university desired, in connection with certain university work, to be permitted to use a portion of those lands and sought to get the consent of Congress for their use. I introduced a bill for that purpose and it was referred to the War Department, which reported against the bill. What was the reason given for that action? That some day they might need the land for war purposes.

Mr. SMITH of Arizona. That was the same reason as was given in the case which I have cited.

Mr. JONES of Washington. Mr. President, that is the situation which would confront the Secretary of the Treasury under section 3 as proposed by the Senator from Arkansas. If the Secretary sought to secure the use of some of the lands which are used for military purposes, the War Department would say no.

Mr. HARRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES of Washington. I yield.

Mr. HARRIS. The bill provides for the placing of three of the five hospitals on the Pacific coast; but it also specifically provides that two additional hospitals be located, one at Fort Mackenzie, Wyo., and the other at Fort Walla Walla, Wash. It does not specify any other Army posts in other parts of the country; and I wondered if the Secretary of War had recommended that these forts mentioned on the Pacific coast should be selected, or whether these selections were made by the committee. Did the Secretary of War recommend those two locations?

Mr. WARREN. If I may, I desire to answer the Senator from Georgia now, before he proceeds further. The Secretary of War, I understand, has already turned over these posts to the Public Health Service. The Surgeon General has visited the West and has, I know, examined one of them, and since then has been at work on the matter with the War Department to get the officials there to turn the post over, and it has been turned over. However, the provision is inserted in this proposed legislation so that there may be some permanency about the matter and so that after improvements have been made by the Surgeon General

the permits for the use of the property may not be easily or quickly revoked.

Mr. HARRIS. May I ask the chairman of the committee whether the Secretary of War has not turned over other barracks to the hospital service, and why were they also not specifically provided for in the bill?

Mr. WARREN. There are a number which have been turned over by the Secretary of the Navy, but I know of no other which the Secretary of War has formally turned over. We have provided in the bill for some, and I have on my desk here a list of some others that have been spoken of, all of which have passed under the scrutiny and bear the approval of the Surgeon General.

Mr. HARRIS. Mr. President, I have no fault to find with the Pacific coast or with those who are interested in that section; I am going to support them in anything which is of interest to or which may help them, whether it relates to the Japanese question or anything that will aid the soldiers; but I do not understand why the Appropriations Committee, of which I am a member, has written in the bill language under which one hospital will be located in Wyoming and one in the State of Washington, while three of the other five large hospitals for the service generally are to be located in the Rocky Mountains and on the Pacific coast, when 80 per cent of the population of this country is in the other territory, in which there will be only two hospitals.

Mr. WARREN. Mr. President, the other House sent us no legislation whatever in this bill and made no attempt to appropriate for the hospital building plan. The consequence is that the Senate must initiate whatever may be put into the pending bill in reference to the subject, and the matter will then go to conference. That leaves us with no difference as between the House and the Senate, and if the conferees on the part of the House object to the whole or any part of the appropriation, it will go out of the bill.

The House has to-day passed, practically unanimously, the Langley bill, which includes the two posts mentioned, but no other, although in its legislation it has provided for the location of five new hospitals. It was no part of the work of the Appropriations Committee here to undertake to locate specifically those five hospitals. So far as the post in Wyoming is concerned, I have no desire to have it turned over to the Public Health Service if the War Department will regarrison it. It would be a great deal better for us in Wyoming if it were used for military purposes. However, the Surgeon General of the Public Health Service went there and examined it thoroughly and found it was practically a new post and that the buildings were entirely of brick. I say "new," but I mean it had been erected since the Spanish-American War. He found that it was adaptable for hospital purposes. It is not in the Rocky Mountain country exactly; it is quite a distance from the Rocky Mountains, and is highly recommended, and always has been, as a proper place for the treatment of tubercular patients.

As to Fort Walla Walla, that is farther west on the Pacific coast. It is a beautiful spot, I understand, and is not now being used by the military authorities. The Surgeon General very properly wished to use those two places, and they have, I am told, been turned over to him.

Mr. ROBINSON. Will the Senator from Washington [Mr. JONES] yield to me for a statement?

Mr. WARREN. I wish, first, to finish what I have to say, and then I shall yield to the Senator.

Mr. ROBINSON. I thought the Senator from Wyoming had concluded.

Mr. WARREN. I desire further to state that there is a provision in the bill appropriating \$5,000,000 to be expended at certain places for which the Surgeon General has asked us to provide, because quicker relief can be furnished by arranging facilities for two thousand seven hundred and odd beds at those particular places. Such provision can be made at locations where we own the land and where the overhead charges are already provided for at an estimated cost per bed of only about half what it would cost to construct new buildings on new locations. The committee has not sought to block in any way the establishment of five new hospitals. We have carried the appropriation for them as the House carried it and have added the \$5,000,000 in order to give greater facilities and to provide them more expeditiously as well as more cheaply.

While it may be very unpopular, it may be very unseemly for a Senator to proceed along the line of economy, but in the case of appropriations for hospitals, as in other instances, if we can secure equal facilities at less cost there is no reason why fault should be found. On the other hand, enlarging existing facilities will afford a quicker remedy and an additional remedy.

We propose to appropriate \$17,500,000 as against a mere authorization made by the House of \$12,500,000.

Mr. ROBINSON. Mr. President, will the Senator from Washington yield to me for a moment?

Mr. JONES of Washington. I yield.

Mr. ROBINSON. I agree with the suggestion of the Senator from Georgia that the provision locating, in general language, five hospitals in various sections of the country is wrong and ought to go out of the bill. It is my intention to offer an amendment to strike out of the committee amendment lines 7 to 16, inclusive, on page 22, just as soon as the amendment of the Senator from Wisconsin is disposed of, and I shall do that whether the amendment of the Senator from Wisconsin prevails or is rejected.

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. The Senator from Washington has the floor.

Mr. WALSH of Montana. Will the Senator yield to me for a moment?

Mr. JONES of Washington. I yield.

Mr. WALSH of Montana. Before we pass the question raised by the Senator from Georgia I wish to address a further inquiry to the Senator from Wyoming. I inquired the other day as to why Fort MacKenzie, in the State of Wyoming, and Fort Walla Walla, in the State of Washington, were specifically named in this provision of the bill, as well as Fort Logan H. Roots, in the State of Arkansas. I was answered by the Senator from Arkansas to the effect that an effort had been made to secure the transfer of the fort in his State to the Treasury Department, but that the effort had been resisted by the War Department, and I now learn from the statement of the Senator from Wyoming that that is not the case with reference to Fort MacKenzie, in the State of Wyoming, and Fort Walla Walla, in the State of Washington, but that they have actually been transferred from the War Department to the Department of the Treasury.

Mr. WARREN. Not by deed but by license?

Mr. WALSH of Montana. Exactly. I was wondering why it became necessary to make any such provision as that found in the bill at all, and I was curious to know just exactly what status those posts would have as hospitals as distinguished from the status of others. Take Fort William Henry Harrison, in my State, which has been transferred from the War Department to the Department of the Treasury for similar purposes. Why should it not be also included in this bill specifically, as well as the other posts named?

Mr. WARREN. Mr. President, in answer to the Senator I will say that the matter to which he refers has not been brought to the attention of the Senate, and I think not to the attention of the department, perhaps.

Mr. WALSH of Montana. I think the situation is about the same as that in respect to the two forts named, and why should they be included?

Mr. WARREN. If the Senator will allow me for a moment, in the case of a military post erected for officers and men there is usually a hospital of small capacity; the barracks are usually large buildings which by a little rearrangement of partitions, taking out or adding to them, become very suitable for hospitals. The houses of the noncommissioned and commissioned officers may be used for the surgeons and attendants. On taking over the posts mentioned, of course, an appropriation has to be made, for money has to be provided to adapt the buildings to hospital use.

Some of the military posts were turned over, perhaps, to relieve a particular sudden stress in the section of the country where they were located without the intention of their being used for any great length of time. As for the two posts referred to by the Senator—and I wish to say that I have not the slightest personal interest whether the provision respecting them remains in the bill or goes out of the bill, except in so far as I should like to see adequate provision made for the soldiers—the only reason those posts are mentioned in the bill is because they were already in the House bill, and we did not wish to be put in the position by striking out too much of what the House had provided of making it difficult to secure in conference a fair consideration of this proposed legislation. There may be some other posts which also could be included. For instance, I have here on my desk a memorandum written only last night by the Surgeon General in which he speaks of three or four at other places that could be adapted to hospital use for disabled soldiers. He has examined them and so recommends.

If, however, the Senator thinks there has been any partiality on the part of the committee as to the posts mentioned in the bill he can move to strike out the provision, but I shall oppose such a motion and defeat it, if possible.

Mr. WALSH of Montana. I was simply curious to know exactly what the difference was in the status of various posts. The conditions of which the Senator speaks are those exactly which obtain in the case to which I referred. There is a hospital there of a very small capacity; there are quite extensive barracks, which would have to undergo, no doubt, considerable remodeling in order to make them available for hospital purposes; there are officers' quarters which would be available, after some improvements are made, as residences for the surgeons. Apparently the conditions are identical in the case of every one of these posts. Now, when these posts have actually been taken over, transferred by the War Department to the Public Health Service, why should we legislate upon the subject?

Mr. WARREN. Mr. President, will the Senator permit me? I think Fort William Henry Harrison is of late building, and all equipped, is it not?

Mr. WALSH of Montana. Yes.

Mr. WARREN. Does the Senator know how many troops it was intended for?

Mr. WALSH of Montana. It is a three-company post.

Mr. WARREN. If the Senator pleases, what the committee is trying to do is to utilize all these places so far as it can. There has been uncertainty as to how many of the posts could be used, which is well known in the Committee on Military Affairs, and, I think, it is well known through the press; and there has been a difference between the War Department and Congress as to how large the Army should be. The Congress has said it shall be 175,000, and the President has said no, and the difference is here on the table in the form of a veto message, I presume. Now, when that is settled—and it ought to be settled soon—it will be easier then to take these posts that have been reserved and use them.

When they started to take the two first ones, the reason why I looked with favor upon putting in eight or nine places where there were marine hospitals and others which the Surgeon General nominated, and which he is using, and which he recommended for further use, was that I thought the \$10,000,000 or \$12,500,000 that would pass the House as to new ones would put us in such a position that in our next bill we could provide liberally, and take in still further properties that the Government owns that would afford every facility for these men, and do it at an early date, rather than have to wait for years to build more new buildings and provide for more improvements and bigger buildings which will some time have to be given up for the purpose for which we build them.

Mr. WALSH of Montana. Of course, with that policy I am in entire accord; but that is not the question that is before us at all. I assume that these three posts are not the only posts that have been taken over and are to be devoted to hospital purposes.

Mr. WARREN. I think there will be still more.

Mr. WALSH of Montana. I simply speak of the one in my State as illustrative. Now, among all the hospitals which have actually been taken over for hospital purposes, including Fort Walla Walla and Fort Mackenzie, why should those two posts be singled out for specific reference in this bill?

Mr. WARREN. So far as the House is concerned, of course I can not answer the Senator. So far as the Senate is concerned, we are asked for appropriations to fit those posts for use. If Fort William Henry Harrison is used for the purpose, I think from the fund which they were given in earlier legislation they will probably have been preparing it for use. They must have been.

Mr. WALSH of Montana. The Senator from Wyoming must not understand that I am making the slightest objection to the appropriation for putting these posts in service.

Mr. WARREN. I wish to say to the Senator, before he takes his seat, that the amendment offered by the Senator from Arkansas strikes out all of these eight or nine places that are now in use, and as to which we can proceed almost immediately and for which we are appropriating some \$5,000,000. I hardly think the Senator ought to do that, because it is not traveling in the right direction.

Mr. ROBINSON. Mr. President, the amendment of the Senator from Arkansas does not specifically name the places at which extensions may be had, but it generally provides for the extension of any existing plant in conformity to such plans as the Secretary of the Treasury may provide. It is not accurate to say that the amendment of the Senator from Arkansas prevents the extension of existing plants. It contemplates their extension, and places no limitation whatever upon the sum that may be used, within the total limits of the appropriation, for that purpose.

The amendment reported by the committee limits to \$5,000,000 the sum that may be used in enlarging existing plants and

making them available for better use, and provides that \$600,000 of that sum may be used in remodeling the plants at Fort Mackenzie and Fort Walla Walla; but the amendment of the Senator from Arkansas authorizes a very much larger appropriation than that carried in the committee amendment, and provides that any part of it found necessary may be used in the extension and remodeling of existing plants. It places no limitation upon the Secretary of the Treasury in that particular.

Mr. WARREN. And the Senator would rather put on the Surgeon General all of this traveling about to select locations here and there, which he seeks to avoid, and which I think we ought to avoid for him?

Mr. ROBINSON. That question is directed to the amendment under discussion, the amendment of the Senator from Wisconsin; and I repeat what I said awhile ago, that I think the worst thing that could happen for this cause in which we are all so profoundly interested is to create a congressional commission, or a commission dominated by Members of Congress, to determine the location of these hospitals, for the reasons that I stated awhile ago; and it is no reflection on a Member of Congress to say that if the people of his State bring pressure to bear upon him to locate one of these hospitals there, he is apt to be responsive to that pressure. We all know that that is inevitably what would result. This committee amendment, as reported, invites a scramble for the location of these hospitals, and that is what Congress ought to avoid.

Mr. WARREN. In line with what the Senator says, that does not apply, however, to the eight or nine others of which I speak. The commission would have nothing to do with them.

Mr. ROBINSON. Oh, Mr. President, there is no difference between the Senator from Wyoming and myself regarding the hospitals already located and in process of operation, except that I want the Secretary of the Treasury to have a free hand in remodeling them, to have a free hand in locating other hospitals as well, and I do not want to place any limitation such as is placed in the committee amendment on the extension of the existing plants. I want him to extend them to the sum of \$7,000,000 or \$8,000,000 if he finds that by doing so he can get greater facilities than he can by constructing new hospitals.

Mr. JONES of Washington. Mr. President, if I may have the floor for just a moment, I think I will conclude in a very few minutes what I have to say.

I want to say that personally I would be perfectly willing to leave the selection of all these sites to the commission, or to whatever agency the Congress deems best to select the sites. I understood in the committee that the real reason why we put a provision in the bill as we did with reference to the various matters that have been discussed was for expedition, in order to get early action, and because the House committee that had charge of this matter had reported a bill that we understood the House would pass very soon, and which I was informed just a moment ago it has passed to-day; and so we put this provision in this appropriation bill, thinking that it would expedite the matter in a legislative way.

Walla Walla was in the bill in the House. What reasons were presented, what special influences were presented there to get it in, I do not know. Personally, I would just as soon have it left out of this bill, as far as that is concerned. I know that it is a good place; I am satisfied that it will appeal to the Surgeon General as a proper place for the use that we desire to put it to; but I would be perfectly willing to leave that to the representatives or agencies of the Government that select these places. It was put in here because it was included in the House bill. We thought it would hasten legislation to accomplish what we all desire to do. In other words, we thought we were doing just what the Senator from Arkansas is anxious to do—to hurry this matter along. Apparently, instead of hurrying it along, it is delaying it by discussion and all that sort of thing, and probably attempts, because some posts are put in, to put in other posts. I should be glad, also, since the matter has come up, if Congress would direct the turning over of a great many of the posts in this country to the Surgeon General for this use, and name the posts, and I should like to see them name the post in Montana that the Senator from Montana has mentioned, if the Senator is satisfied that that post is not required for military purposes and that it would be a good thing for purposes along this line; and this brings me to the real reason why I urged in the committee the incorporation in the bill of this provision regarding the commission.

Mr. WALSH of Montana. Mr. President—

Mr. JONES of Washington. I yield to the Senator.

Mr. WALSH of Montana. I will join with the Senator with respect to that if there is any post in the country which is not being used for military purposes, and which the people of the

locality would like to have used for these purposes, and the War Department is averse to turning it over, such as the tract of land in the Senator's State. It occurs to me that this Congress would very appropriately consider whether they ought not to enact a law directing such posts to be turned over.

That, however, is not what I am complaining about. I am talking about posts that have actually been turned over and that are now used for hospital purposes. I am inquiring why we should legislate with respect to certain of these without making the legislation applicable to every other post.

Mr. POINDEXTER. Mr. President—

Mr. JONES of Washington. Let me suggest to the Senator that Walla Walla has not been turned over as yet.

Mr. WALSH of Montana. Then I have misunderstood the Senator from Wyoming, because I understood him to say that both of them had been turned over.

Mr. WARREN. I was under the impression that there had been a formal turning over, but no occupancy yet. In fact, there is no occupancy at Mackenzie. I have the word of the Surgeon General only. Of course I can not say but that he might have been mistaken.

Mr. JONES of Washington. I do not understand that there has been even a formal turning over of Walla Walla to the Surgeon General. My impression is that the War Department has expressed a willingness to do it.

Mr. WALSH of Montana. We might very appropriately hear then, it seems to me, the reasons why we should turn over or provide for the turning over of Fort Walla Walla, as we heard the reasons for turning over the post in the State of Arkansas advanced by the Senator from that State.

Mr. OVERMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from North Carolina.

Mr. JONES of Washington. I yield first to my colleague [Mr. POINDEXTER]. I think he rose first.

Mr. POINDEXTER. Mr. President, I rose for the purpose of stating what my colleague subsequently stated. His understanding is the same as my understanding in that regard—that the purpose of the mention of Fort Walla Walla is to accomplish immediately, on account of the emergency existing, the opportunity to use the facilities there for treating these disabled soldiers; but it can not be done without a law being passed upon the subject. It might be done by the creation of a commission and authorizing the commission to select it; but, of course, that would entail delay. Fort Walla Walla is, according to the very latest information I have—and it is quite recent—under the care of a sergeant of the Army as a caretaker. I am informed that heretofore the War Department, instead of indicating a willingness to allow it to be used by the Public Health Service for hospital purposes has taken a contrary attitude, and said that if that should be done it ought to be done by law; that they would not authorize its use, and doubted their authority to authorize its use.

Mr. WALSH of Montana. If the Senator will pardon me further, the junior Senator from Washington came into the Chamber but recently. The fact has been disclosed in the debate that transfers of a large number of these posts have already been made by the War Department to the Treasury Department, and they have been turned over to the Public Health Service. Apparently, with respect to all of these, the War Department considered that it had adequate authority, and I have no doubt it had.

We ought to be apprised, it seems to me, before we legislate with respect to Fort Walla Walla, what the course of the negotiations with the War Department has been, touching that matter and what attitude the War Department takes with respect to it.

Mr. POINDEXTER. I assume, of course, that all that has been inquired into. I myself attended a meeting a few days ago at which the Surgeon General of the Public Health Service was present, at which he urged this legislation, at which he submitted the report of the inspector of his service recommending the use of Fort Walla Walla for this service, and stated they had not been able to obtain it for that use. That was the unanimous information that came from all those who attended the meeting, including the Member in the House from the district where Fort Walla Walla is situated.

Mr. WALSH of Montana. It occurs to me, then, that before we act on the matter, we ought to hear the other side of the case, hear what reasons are urged by the War Department for declining, if they have declined, to turn it over.

Mr. POINDEXTER. That was all inquired into, and they said that while they did not know of any use to which it might be put, there might be some use the War Department would

need it for at some future time. The House, I am informed, to-day passed House bill 15894, of which section 4 is as follows:

That the Secretary of the Treasury is hereby authorized and directed to take over immediately Fort Mackenzie, Wyo., and Fort Walla Walla, Wash., with all lands, buildings, and equipment belonging thereto, for the uses contemplated by this act, and to make such alterations, additions, and repairs to the same as may be necessary, and the Secretary of War is directed to turn over said properties to the Secretary of the Treasury for said uses and purposes.

Mr. JONES of Washington. Mr. President, it is my understanding—and it was inquired about in the committee—that this bill is simply a step toward providing ample facilities to take care of the ex-soldiers. Personally, I would be willing to have a provision in the bill along the lines of the amendment the Senator from Arkansas [Mr. ROBINSON] proposed, to adopt a program that would be ample, which would cost seventy-five or eighty million dollars. We would not be expected, however, to authorize the expenditure of that amount of money in this bill. That would not be necessary, because they could not spend that much in the next year, and there is no question but that Congress will appropriate from time to time whatever amount of money is estimated for that purpose.

I think I can understand the position of the Senator from Arkansas, which was very much my position, that it would be well in this legislation to authorize a program that would take care of the ultimate needs of these soldiers. I inquired with reference to that in the committee, and it seemed to be the general opinion of the members of the committee that that was not necessary, that it was clearly understood that this is the beginning of such a program, without naming it; that this appropriation, according to the Surgeon General, is all he could expend during the next year; that it is simply one step in the program that would be necessary; and that in the next year we will take the next step, whatever it may be, whatever may be necessary.

Mr. ROBINSON. Mr. President, at the appropriate time, to the committee amendment proposing to appropriate and make available for immediate use \$17,500,000, I intend to offer an amendment to authorize an additional sum of \$12,500,000, so that the authorities in charge of this work may proceed with it as rapidly as possible, that plans and specifications may be made, and contracts may be made, wherever that can be done advantageously. I agree that it is not necessary to appropriate at this time more money than can be expended in the construction and extension of hospitals, but my purpose is to make the authorization for all hospital facilities that are urgently needed, and that will carry an authorization of at least \$30,000,000; indeed, it might be a larger sum than that.

In addition to that I have offered an amendment, which has no relation to the construction or extension of hospitals, but does have relation to the maintenance and care of the men in the hospitals, as well as out-patients, increasing the amount in this bill from \$33,000,000 to \$50,000,000. But, of course, that will come up as a separate amendment, after the committee amendments are disposed of.

I wanted to make clear to the Senator from Washington [Mr. JONES] that I agree with him that we ought not to limit our authorization at this time to the sums which will be expended in the coming year, for the simple reason that if we do that, at the end of the year we will be exactly where we are now. There will be the same lack of hospital facilities, with no anticipation of advance, and with complaints coming from every part of the country that the soldiers are being neglected.

Mr. JONES of Washington. My idea along those lines is very much in accord with that of the Senator from Arkansas. I have had some doubts myself as to the wisdom of adhering to the provision in the bill limiting the activities of the Surgeon General or the Treasury Department to \$17,500,000, without in some legislative way recognizing the future development of the program, and, possibly, as the Senator suggests, wherever it is necessary during the year, and it is found advantageous, to make contracts going into next year, that they should have authority to do it.

Mr. OVERMAN. Mr. President, as the Senator from Washington will remember, I differed with him in the committee as to his amendment providing for a commission composed of Congressmen to locate these hospitals. It ought to be done by the health authorities and the Secretary of the Treasury. I was opposed to naming the location of any hospitals in the amendment, but was in favor of letting the Secretary designate them. I think Walla Walla will be selected, as well as the other places mentioned, but I am opposed to naming them, because the hospitals ought to be located where they will be most convenient for the ex-soldiers and those affected.

For example, this is to establish hospitals to take care of insane soldiers. The Secretary of the Treasury and the Public Health Service know where the hospitals ought to be located, and I am afraid if we turn over all the old abandoned posts for hospital purposes, we will send all the patients to one section of the country, because there are many posts in certain sections of the country, for example, where troops were held to fight Indians, and so forth, which have been abandoned, or will be abandoned, which might be all right for hospitals, but which would not be all right when we consider the convenience of these poor insane boys. They ought to be in hospitals where their families could at times see them, and where they would not be absolutely ruined by homesickness, because not able to see their friends and relations. I am willing to leave it to the Secretary of the Treasury and the Public Health Service to say where the hospitals ought to be located.

Fort Mackenzie may be all right, and probably is, and it has been turned over. Fort Walla Walla is all right. But why name them in the bill? Let us leave the discretion with the Secretary of the Treasury. I understand the Senator from Wisconsin [Mr. LENROOT] has offered an amendment to strike out the provision for a commission to be appointed by the Congress, and I am heartily in favor of that, and will vote against the amendment offered by the Senator from Washington [Mr. JONES], to have a congressional commission to look after it. I think that is all wrong.

Mr. JONES of Washington. Mr. President, of course, if that is the Senator's opinion, I have no complaint to make of it.

Mr. OVERMAN. I just wanted to state the reason why I differed with the committee on that matter. I did not vote for it.

Mr. JONES of Washington. There is another point I want to make with reference to the naming of these places in this bill. It is in the interest of time. The Surgeon General approves these places that are specifically named. Those who are willing to allow this matter to go to the Surgeon General it seems to me should welcome the specification of these places in this bill, because it will save any time that might be necessary in making any investigation to determine whether these are the proper places or not.

With reference to the suggestion of the Senator from Georgia, with respect to the general provisions of this bill, as to location of one of these hospitals in the Central Atlantic States, and others in other States, personally I care nothing about that provision. I would be perfectly willing to leave the location of these places, without any specifications of that kind, to whatever agency we determine in this bill shall locate them, whether it be by the commission, as reported by the committee, or as proposed to be amended by the Senator from Wisconsin [Mr. LENROOT], or that it shall be finally left to the Secretary of the Treasury. I would be perfectly willing to leave it without any limitation as to one being in this territory and another in that territory and another in some other territory. It does not seem to me that we have any reason really to haggle over matters of that kind. I believe that whatever agency is selected, authorized by Congress, will do what it thinks is the right thing for the soldier, and that is all we want.

Now, Mr. President, I want to make just one or two statements with reference to some other reasons why I urged this commission as it is provided for. It has been stated that this was my amendment in the committee. That is true. I conferred with quite a number of members of the committee, talked to them about what I had in mind, and they agreed with me, and thought it would be a good thing, and a majority of the committee thought so.

I want simply to state why I think it would be a good thing to have a commission of this kind. As I said at the beginning, I assume that there will not be any politics in the matter. If I had any doubt about that I would be against the proposition, and any Senator, of course, who thinks politics would move this commission will vote against it, and I think he ought to. I do not think there will be any politics in the action of that commission. I believe that the Vice President will appoint Senators and the Speaker of the House will appoint Representatives who will look solely to the interests of the soldiers and the interests of the Government. I may be entirely wrong about that. I may have too much confidence in the patriotic action of the Senators and their desire to protect the soldiers, to the neglect even of their personal interests. But I never thought about that. These are some of the reasons that moved me. This is a time for us to save all we can for the Government consistent with efficient administration. I believe we have much Government land throughout the country which could and should be used for these hospital sites, and wherever we have Government land that is not imperatively needed for some other purpose which is suitable, I think it ought to be used for these purposes. I have not

any hope from past experience that any department of the Government will yield up any of the land or sites it may control for this purpose, unless it is almost forced to do it by legislation, or by such a state of public sentiment that it does not feel it can resist.

So I thought if we had a commission, and represented on that commission the legislative branch of the Government, the commission would view the situation, view the various properties of the Government, and follow very largely, of course, the advice of the Surgeon General as to the desirability from a health standpoint, then look at the interests of the Government from the financial standpoint. If the Surgeon General said some certain site, for instance, was good for the soldiers from a health standpoint, then the commission, rather than buy land at a large expenditure, would say to the department having control of it, "You turn that land over to the Secretary of the Treasury for the purpose of building these hospitals."

I thought that might save the Government a great deal of money. Of course, if we should name the sites in the bill, then it would not be necessary, and to the extent we name the sites in the bill it makes it unnecessary.

Then there is another provision in the bill which I consider of great importance, the one authorizing this commission to pass upon the plans and specifications for these buildings. I think that would save the Government a great deal of money without interfering with the efficiency of these hospitals in the least. I think it is the disposition of Government officials having charge of the construction of Government buildings and property not to economize but to erect showy buildings.

Mr. ROBINSON. Mr. President, will the Senator yield?

Mr. JONES of Washington. Certainly.

Mr. ROBINSON. Does the Senator think that the opinion of a Member of Congress, who is not an architect and who has no technical knowledge of plans and specifications, would be of very great value in arriving at conclusions on this subject? Would it not be better to leave it to officers of the Government who are in the habit of passing upon those matters and to whom they are familiar? I say frankly, with no intention of reflecting upon the intelligence of others or comparing theirs with mine, that I would not consider myself qualified to pass upon plans and specifications for hospital buildings without a great deal of study and certainly without the advice of medical men and men experienced in hospital construction and hospital operation.

Mr. JONES of Washington. There is nothing of that kind proposed, because on the commission, as a member, is the Surgeon General, who passes upon them from the health standpoint.

Mr. ROBINSON. Yes; but—

Mr. JONES of Washington. Just a moment, please. On the commission is the Supervising Architect, who will give his views, and the commission will have the benefit of those views. I think I am just about as competent as an architect is to pass upon the outside of a building, the character of the outside of it, and how big it ought to be constructed, and I think I could save the Government money. I do not wish to be a member of the commission and I am not thinking of that at all, but I think I could save the Government a great deal of money, not only in the construction of these buildings but in the construction of other Government buildings, if Congress would just keep its finger upon the plans and specifications for a little while.

I now yield to the Senator from Arkansas.

Mr. ROBINSON. The Senator overlooks the fact that the amendment of the Senator from Wisconsin [Mr. LENROOT] contemplates that the commission shall be composed of technical experts and the Secretary of the Treasury. My question was whether the opinion of a Member of Congress ordinarily would be of very much value concerning plans and specifications. The Senator has said that he is just as competent as anyone to pass upon the outside of a building, and that may be true, but the outside of a building is not of very much importance when it comes to providing hospital facilities.

Mr. JONES of Washington. That is the reason why I thought I was about as competent as anyone to pass upon it.

Mr. ROBINSON. The Senator by a process of indirection has reached the same conclusion that I asserted, and that is that Members of Congress on the commission would not be of very great value in so far as determining plans and specifications is concerned.

Mr. JONES of Washington. Of course, that is the Senator's opinion and he is entitled to it. I do not know, but I think that every Senator must be impressed with the fact that governmental agencies do not make very much effort to economize in governmental expenditures. This is especially true where they are constructing buildings or erecting structures of

any particular kind. At any rate, I have not seen very much evidence of it. It seems to me that they take about the most expensive way they can find for the construction of a building or any other structure that may be necessary.

Mr. ROBINSON. Will the Senator yield for another question?

Mr. JONES of Washington. Certainly.

Mr. ROBINSON. In view of the appropriations made and being made by the Congress, does not the Senator think his observation would apply to the Congress quite as much as to the executive departments?

Mr. JONES of Washington. I have done what I could to cut down appropriations in all appropriation bills I have had anything to do with this session. I have come to the conclusion that the only way to economize is to economize, that the only way to reduce an appropriation is to reduce it, that the only way to get them down is to cut them down.

Mr. ROBINSON. I think that declaration is quite democratic.

Mr. JONES of Washington. I find it to be true that the very moment it is learned that we are reducing an amount in an appropriation bill representatives of the various departments affected are down here talking to us, telling us how they are going to be ruined, their forces going to be disrupted, their business disastrously affected, and all that sort of thing. There has been, so far as I know, but one man who came before the Appropriations Committee in the hearings on the sundry civil bill who has manifested any desire or inclination to economize and try to get along in his department at less expense than heretofore. I am inclined to think that he has been treated more unjustly probably than almost anyone else and that we have left out too much for him.

I have explained what I hope to secure by means of the proposed commission. I may be entirely mistaken about it. I may be entirely wrong, but I urge it here, as I urged it before the committee, for practically the very reasons that are urged here by the Senators who are opposing it in order to get quick action. I believe that Members of Congress on the commission would act promptly in these matters, probably much more promptly than a departmental head who is seeking in every way possible to get up particular sorts of plans and all that kind of thing and who is not accustomed to acting quickly and promptly but takes his time with reference to these matters. I may be mistaken in that. Senators and Representatives might dillydally and delay and put off for weeks and months. I think it would mean economy. It may be that the Secretary of the Treasury and those under him who are preparing plans and specifications trying to get elaborate grounds and get them fixed up in this shape or that, having this sort of ornamentation and that on the buildings, would economize far more than the congressional commission might.

Mr. ASHURST. Mr. President, will the Senator yield to me for a question?

Mr. JONES of Washington. Certainly.

Mr. ASHURST. If the Senator had a sick friend or, unfortunately, an ill relative, would he consult a physician or four politicians?

Mr. JONES of Washington. I can not see the pertinency of that question at all. My good friend from Arizona may see it, but I can not.

I am not seeking here to leave to a commission the question of whether these men are sick or well; not a bit of it. I would like to see this matter left to men who would say, "Let us act promptly in the matter," and to say to the Secretary of War, "Turn over these military posts to the Surgeon General, and do it right away." Let him go on with the construction of his buildings under plans and specifications which may have been prepared of the most modern character, but leave off all sorts of ornamentation, and that sort of thing. Let us get some genuine hospitals.

Mr. SMITH of Arizona. Mr. President—

Mr. JONES of Washington. I yield to the Senator from Arizona.

Mr. SMITH of Arizona. Along the line in which the Senator is speaking, I do not think we could find greater wisdom than in the transfer to the proper medical department, if I may so denominate it, of suitable places for hospitals. I do not wish to have it understood that by my former interruption of the Senator I was making criticism of any particular Secretary of War.

Mr. JONES of Washington. No; not at all. It had reference to the general policy of the department.

Mr. SMITH of Arizona. It was an expression of the general proposition. There is no authority to turn anything over. I do not question it, because it is so necessary, but there ought to

be in the bill or somewhere else a requirement that those not used for military purposes, that can be used economically for hospital purposes, should be turned over by that department, by deed or by proper transfer of authority of the particular department.

Mr. JONES of Washington. Mr. President, I am not going to take further time on the proposition. However, I do wish to call attention to section 3 of the so-called Langley bill and the fact that under that provision there is no real authority to compel anything to be done with reference to the transfer of properties. It reads:

SEC. 3. That the Secretary of the Treasury, in securing sites herein provided for, may request the Secretary of any other department of the Government to transfer to the Treasury Department such lands or lands and buildings under his control, not required for other purposes, as the Secretary of the Treasury may deem suitable—

He may request this of the other departments—

and other departments are authorized to make such transfers to the Treasury Department as may be deemed to be in the interest of the Government.

He may request this of the other departments, and the other departments are authorized to make such transfers to the department as may be deemed to be in the interest of the Government.

Mr. SMITH of Arizona. But they are not required to do it. Mr. JONES of Washington. No; they are not required to do it, and there is no one authorized to require them to do it. What will be the procedure under that? The Secretary of the Treasury will probably see some particular tract of land which he would like to have and he will write a letter to the Secretary of War, and the Secretary of War will write back and say, "I do not think it is in the public interest to do that," and that will end it, and there will be nothing done. But where will my friend, the Senator from Arizona, get land upon which to build the hospitals? If we can not get it from the Government agencies, then we will have to buy it, and that will cause negotiations and all that sort of thing and a tremendous expenditure on the part of the Government.

Mr. President, if the Senate is not going to adopt the provision for a commission, then it should adopt something that will make the request of the Secretary of the Treasury effective, if he considers it in the public interest that some particular piece of Government property shall be taken for this purpose. I hope that that will be done, at any rate. I have no special pride in the provision. If it does not appeal to Senators, that is all right. It does appeal to me, and it appeals to me in the interest of time, in the interest of economy, and in the interest of taking care of these soldiers of ours. If it does not appeal to other Senators, then I shall be glad to accept whatever does appeal to them, because we are all after exactly the same thing. Sometimes it seems to me that Senators rather proceed on the theory that we are not all after the best interests of the soldier. I do not think the discussion should be placed upon that basis at all. It ought to be upon the assumption that every Senator is just as earnest and just as anxious as any other Senator to make full and ample provision for every disabled soldier of the United States Government.

Mr. WADSWORTH obtained the floor.

Mr. THOMAS. Mr. President, will the Senator yield to me just a moment?

The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from New York yield to the Senator from Colorado?

Mr. WADSWORTH. Certainly.

Mr. THOMAS. I wish to reserve the right, when the bill comes into the Senate, to move a reconsideration of the vote agreeing to the amendment found on page 38, line 3, and also the amendment found on page 48, line 22.

Mr. WADSWORTH. Mr. President, the Senator from Wisconsin [Mr. LENROOT] has offered an amendment changing the personnel of the proposed commission. The offering of that amendment brings up the whole question of the commission, for the Senate to decide whether we are to have one or not, as I assume, and if so, what sort of a commission.

Much has been stated in the discussion as to the disposition of Government property which is not needed for purposes for which it was originally designed and is needed and can be used for the purposes of the Public Health Service. There is no doubt whatsoever that there is a good deal of that kind of property. Much of it is under the War Department. The committee amendment, however, as reported by the committee, attempts to set up an outside commission which could dispose of that property without the consent of the President of the United States, a thing which is utterly impossible in my view.

An amendment to the commission provision has already been accepted and agreed to providing, in effect, that the Secretary

of the Treasury shall secure or accept, with the approval of the President, such sites as may be approved by the commission. In other words, the President of the United States is the final authority in the matter. I can see no use in erecting any other kind of authority under the law, even advisory. Why not leave to the President of the United States the sole jurisdiction over this question, as he must have under the Constitution? Why erect a commission, and, especially, why put Members of the Senate and House upon it to make this survey which in the last analysis must go before the President and be approved by him before anything can be done?

The functions ascribed to the commission are pretty important, if the commission is to be erected just as the committee proposes, and especially notable is that function provided for in the last sentence of the paragraph on this question, to wit, that all plans and specifications for the construction of buildings and preparation of land for use authorized herein shall be approved by the commission. It is proposed that there shall be two Senators and two Members of the House of Representatives on the commission. They can not pass upon the plans for the buildings or the preparation of the land without visiting the site. That is, they can not pass upon them with any degree of reliability in their judgment. There would, then, be two Members of the Senate and two Members of the House of Representatives visiting Walla Walla and other far-away Army posts and other Government properties all over the country. They would have to take part in the selection of all these sites. For weeks would they be on the road. Any commission which was formed under this proposal would have to spend most of its time traveling in order to pass intelligently upon the plans for the buildings and the preparation of the lands as well as the selection of the sites.

I am as anxious as is anyone else to take away from the War Department and other departments of the Government those properties which they do not really need and turn them over to other departments of the Government which can make better use of them. Certainly if the Public Health Service can make better use of a piece of Government property than can the War Department, it ought to have it; but who is going to determine that question in the last analysis? There are only two powers that can do it.

The Congress could pass an act reciting one by one the Government properties which might be turned over or which must be turned over. In order that the Congress might do that intelligently, we should have to name a committee of Congress to tour the country and examine all the properties and report to Congress which ones, in its judgment, should be turned over to the Public Health Service. It would take months to bring about any decision of that sort.

The only other authority which could rightly be used in the disposition of Government property, when Congress authorizes it in general terms, is the President of the United States; and if we want to save time, if we want to do this thing effectively, we shall simply authorize the President of the United States, in his discretion, to turn over any Government lands or buildings to the Public Health Service, under the jurisdiction of the Secretary of the Treasury, which, in his judgment, can be better used for the care of patients of the War Risk Insurance Bureau than for the use to which that property is being put to-day. In any event, he will have to approve whatever is done. Why not lodge the authority with him solely, in the first instance, save time, have it more effectively done, and, incidentally, avoid the danger of injecting geographical or local politics into the selection of the sites?

Mr. POMERENE. Mr. President—

Mr. WADSWORTH. I yield.

Mr. POMERENE. I desire to ask the Senator a question. The Senator made the statement that he should like the property, which was under the care of the Secretary of the Treasury, to be thus turned over for this specific purpose?

Mr. WADSWORTH. No.

Mr. POMERENE. Did the Senator mean the Secretary of the Treasury or the Secretary of War?

Mr. WADSWORTH. I said that the property should be turned over for the use of the Public Health Service under the jurisdiction of the Secretary of the Treasury, because he is the head of that department.

Mr. POMERENE. Does the Senator mean by that the property which may now be under the control of the Secretary of War?

Mr. WADSWORTH. Yes; or of any other department of the Government.

The trouble with the committee's original amendment is that it would allow an outside commission to take any building or piece of land which is owned by the Government of the United

States and, regardless of the Chief Executive, place it under the Treasury Department. Under the language of the amendment it might be possible—of course, this is a ridiculous stretching of the possibilities—to take the White House and make a hospital of it.

Mr. WARREN. Did not the amendment which was proposed by the Senator from New York carry?

Mr. WADSWORTH. Yes; that objection has been corrected, but I think the very acceptance of that amendment illustrates the point I am trying to make; that it is the President alone, or Congress, who can finally make disposition of the property; and Congress can not do that without having an enormous survey made of the entire United States by a committee of Congress. Therefore, if I may have the attention of the Senator from Wisconsin—

Mr. JONES of Washington. Will the Senator from New York yield to me for just a moment?

Mr. WADSWORTH. I yield.

Mr. JONES of Washington. On reflection, I do not believe that the amendment which the Senator from New York proposed and which I accepted, so far as I was concerned, is really necessary. In my judgment, if Congress shall enact this provision and it shall be approved by the President, that will provide for the disposal of the property and how it shall be disposed of, and the President will have exercised his discretion when he approves the bill. I have no objection to the provision being inserted, but that is the way it now strikes me. By the provision we authorize and direct the transfer of the property whenever the commission decides that it should be used by the Public Health Service. If the President signs the bill making such provision, it is a disposal of the property under the Constitution.

Mr. ROBINSON. The proposal the Senator from Washington just made would mean that if the President thought that Fort Mackenzie ought not to be turned over to the Treasury Department, in order to prevent its being turned over, he would have to veto this entire bill, which, of course, he would never do.

I express the opinion that as to particular properties, where an investigation has been made, and where Congress, after a full investigation of the matter, or acting on full information, believes that the transfer should be made, there is no objection to promptly ordering that transfer; but the general authority, as stated by the Senator from New York [Mr. WADSWORTH], ought certainly to be modified so as to comprehend approval by the President or action by the President. Otherwise the activities of the Government in other departments might be needlessly embarrassed by the taking by the Treasury Department of property actually needed by some other department of the Government and in some instances property indispensable for its purposes.

Mr. WADSWORTH. Mr. President, I am in complete sympathy with the purpose of the Committee on Appropriations in making use of Government property in the way proposed, but I have grave doubt as to the efficacy of using a commission in bringing that about. Commissions spell delay and red tape. I have never known a commission to act promptly. This is to be an ex officio commission with a sort of mixed membership. Four of the members, being Members of Congress, have plenty to do right here in the Capitol. It is therefore very doubtful whether they would be of any real benefit to the commission, for they could not spend the time traveling about the country examining sites. If we adopt the change suggested by the Senator from Wisconsin, that still leaves an ex officio commission made up of subordinates of the President of the United States. What is the use of naming subordinates of the President of the United States when the President must take the responsibility in the long run? I was going to ask, in view of this situation, if the Senator from Wisconsin would be willing to withdraw his amendment for the time being in order that I might offer a substitute for the entire paragraph relating to the creation of a commission and its powers?

Mr. LENROOT. Mr. President, inasmuch as the Senator's proposal would then be in order, I think it would be better to have the amendment proposed by me acted upon, and then have the Senator offer his substitute.

Mr. WADSWORTH. Very well.

The PRESIDING OFFICER (Mr. KENYON in the chair). The question is on the amendment of the Senator from Wisconsin [Mr. LENROOT] to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is now on agreeing to the amendment as amended.

Mr. WADSWORTH. I offer the following as a substitute for the language between line 17, on page 22, and line 16, on page 23, inclusive.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The READING CLERK. In lieu of the paragraph from lines 22 to 23 in the committee amendment it is proposed to insert the following:

In carrying out the purposes herein authorized the President is authorized and empowered, in his discretion, to assign for the use, permanent or temporary, of the Public Health Service, under the jurisdiction of the Secretary of the Treasury, such lands or buildings now owned by the United States which, in his judgment, can be used more efficiently for the care of patients of the Bureau of War Risk Insurance.

Mr. WADSWORTH. Mr. President, I have no particular pride of authorship in the amendment, but I suggest that it may solve the whole question.

Mr. ROBINSON. Mr. President, the amendment to the amendment is offered as a substitute for the committee amendment commencing in line 17, on page 22, and extending down to line 16, on page 23, is it not?

Mr. WADSWORTH. Yes.

Mr. ROBINSON. Mr. President, the whole subject has been discussed. I am heartily in favor of the amendment of the Senator from New York to the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York to the amendment reported by the committee.

Mr. LENROOT. I should like to ask the Senator from New York a question. As I recollect his amendment, it only authorizes the President to assign certain sites which the Government now owns. If limited to that, where will be the authority to acquire any new sites for hospitals or who will secure them?

Mr. WADSWORTH. Mr. President, it seems to me that another part of the committee amendment takes care of that situation, by implication, at least.

Mr. JONES of Washington. On page 21 there is a provision which reads as follows:

The Secretary of the Treasury is authorized to provide additional hospital and out-patient dispensary facilities for persons who served in the World War and are patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, (1) by purchase, gift, or lease of existing plants—

And so forth. I think that will cover that.

Mr. LENROOT. That is true.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. NEW. Mr. President, if it be in order at this time, I move to amend by inserting, on page 21, line 4, before the words "Louisville, Ky.," the words "Evansville, Ind."

Mr. ROBINSON. May I inquire whether there is now in operation a hospital at that place?

Mr. NEW. There is a marine hospital at that place, which has been turned over to the Public Health Service and is now being used by it.

Mr. ROBINSON. I wish to ask the chairman of the committee, with the indulgence of the Senator having the floor, whether his committee intentionally omitted Evansville from the bill or whether it investigated the matter and found that it should not be included?

Mr. WARREN. The matter was not presented to us at the time by the Surgeon General. I now, however, have in my hand a letter from the Surgeon General addressed to me as chairman of the committee, dated February 6, in which he says:

In handing you the memorandum of hospitals owned by the Government, which could be expeditiously and economically expanded, I did not mention Fort Bayard, N. Mex., which the Public Health Service holds under revocable license from the War Department. Senator Jones has called my attention to this omission, and Senator NEW has also called my attention to Evansville, Ind. We are also just beginning the erection of some frame portable buildings at the Pittsburgh (Pa.) Marine Hospital.

You and the committee have been so courteous in this matter that I dislike to impose further upon you, but, if it be practicable, I would like to suggest adding Fort Bayard, N. Mex., \$750,000; Evansville, Ind., \$100,000; Pittsburgh, Pa., \$250,000, making a total additional of \$1,100,000 to the amount made immediately available for adding to existing capacity of Government-owned hospitals.

I wish to say that if this matter had been before the committee, if I understand the temper of the committee correctly we would have included the places indicated, and, perhaps, others. I wish to say now, on my own account—I can not speak for the committee, because I have not had an opportunity of consulting other members since the letter from the Surgeon General came in half an hour ago—that I should be glad either to move, in lieu of the Senator's motion, or have him make a motion to include all of the places mentioned by the Surgeon General and the amounts set forth by him as being necessary to cover the improvements. They are all the places mentioned by him as being available and desirable for immediate use.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. NEW. Yes.

Mr. McKELLAR. I just want to state that in the city of Memphis, Tenn., we also have a marine hospital which can be used for such a purpose, and I was wondering if the Senator from Wyoming and the Senator from Indiana would be willing to insert that in the amendment offered?

Mr. WARREN. Mr. President, if the Senator please, I think in all these cases we ought to have the advice of the Surgeon General about them, and I think we ought not to go further now than those he has specifically recommended, but my disposition is that all of those matters should be looked up in the near future.

Mr. McKELLAR. Would the Senator be willing to have it go in now, and then discuss the matter in conference?

Mr. WARREN. What would be the Senator's suggestion? I did not quite catch it.

Mr. McKELLAR. The marine hospital at Memphis, Tenn.

Mr. WARREN. Are they using it now?

Mr. McKELLAR. They are using it now, as I understand.

Mr. WARREN. Has the Senator any idea how many beds could be added there?

Mr. McKELLAR. No; I have not. I could not give any information about that.

Mr. WARREN. I would be perfectly willing to add it, and let it go to conference, except for the fact that it has not yet been asked for by the Surgeon General.

Mr. KING and Mr. LENROOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield; and if so, to whom?

Mr. NEW. I yield to the Senator from Utah for a question.

Mr. KING. I should like to ask the chairman of the committee if it would not be wiser to have general authority conferred upon the President, or the Secretary, or the Surgeon General, wherever we shall conclude to lodge the authority, to take over for the purposes contemplated by this amendment any hospitals now owned and controlled by the Government? Why specify the Memphis hospital, or the Evansville hospital, or any other? Why not give them authority, within the limits of the appropriation, to take over such hospitals as they deem necessary, and which are available for the imperative needs of the ex-service men?

Mr. ROBINSON. Mr. President—

Mr. WARREN. Mr. President, will the Senator from Indiana yield to me?

Mr. NEW. Certainly.

Mr. WARREN. In answer to that question, and also as to this whole matter, I wish to say to the Senator from Arkansas that we all know that we are near the end of an administration. We all know that in all probability we shall have very soon the nominations of the Secretaries of the various departments, and shall proceed to confirm them. We all know the rush that will be made for this office or that, so I feel certain that where we have the matter in safe hands, with the Surgeon General, and he makes these propositions, if we carry the matter out exactly as we have it, and add the others, the Surgeon General without all that delay and vexation can proceed, and he will have hospitals completed and the beds occupied weeks and perhaps months before we would otherwise be able to arrive at the same conclusion.

Mr. NEW. Mr. President, I am perfectly willing to accept the substitute for my motion offered by the Senator from Wyoming; and in saying that I should like to say to the Senate that, noticing the omission of Evansville from this list, I called up the Surgeon General of the Public Health Service and asked him about inserting Evansville in the list. He said he would be very glad to have it inserted, and that it should be so inserted, to which he added that when he was asked by the committee to name the places at which these expenditures were to be made he had done it from memory, having no memorandum before him, and that through inadvertence he omitted these places. He did not say to me that he was going to follow it up with a letter to the chairman of the committee, but he has done so, and that is the letter that the Senator from Wyoming has just read. I think that is the situation, and I think it is perfectly manifest that that omission was made, as the Surgeon General says, through inadvertence, and that it should go into the bill.

Mr. HARRIS. Mr. President, may I interrupt the Senator?

Mr. NEW. I yield to the Senator from Georgia.

Mr. HARRIS. I should like to know whether the Evansville Public Health Hospital, if that is its name, is owned by the Government? The Government has a number of hospitals, leased. When it is a question of making permanent improvements I do not think the Government would act wisely in expending money on rented land until it has been definitely decided

to purchase the property. I think some of the leased hospitals are most desirable, more so than many of those owned by the Government. Under the amendments to the bill the Surgeon General and the Secretary of the Treasury can improve and acquire the most desirable leased hospitals, and I favor this.

Mr. NEW. I think it is owned by the Government. They are brick buildings which were in the possession of the marine hospital service before being turned over to the Public Health Service, which now controls them.

Mr. HARRIS. I should be glad to see Evansville included, provided the Government owns the land.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Indiana.

Mr. NEW. As amended.

The PRESIDING OFFICER. The Chair understands that the Senator from Indiana accepts that amendment, and makes it part of his amendment.

Mr. NEW. I accept the amendment offered.

Mr. WARREN. Then I send to the desk an amendment, which I ask to have stated, to see if it covers the ground.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The READING CLERK. On page 21, line 4, after the word "Kentucky," it is proposed to insert the following:

Fort Bayard, N. Mex.; Evansville, Ind.; Pittsburgh, Pa.; and Memphis, Tenn.

Mr. WARREN. This will require, of course, an enlargement of the sum of \$5,000,000 to about \$6,250,000, and if that amendment is adopted I shall offer another amendment later.

Mr. LENROOT. Mr. President, I do not think the Senate ought to legislate in this way. It really confirms the objection that I made to a congressional commission. The Senator from Tennessee, having noticed the Senator from Indiana offering an amendment to include a hospital in his State which has been recommended by the Surgeon General, the Senator from Tennessee gets up and offers an amendment to include one in his State which has not been recommended.

I am in favor of adopting as amendments those that have been considered by the Surgeon General. I am willing to vote for all of them; but if every Senator is going to get up here and offer an amendment to include a hospital in his State—which, remember, is a direction to the Secretary of the Treasury to expend money either in new buildings or in additional buildings at these various places—I say it is not the way to legislate.

Mr. McKELLAR. Mr. President, the hospital in Tennessee is in exactly the same position as the hospital in Indiana and the one in St. Louis, I believe.

Mr. LENROOT. Is that included in the Surgeon General's letter?

Mr. McKELLAR. No; but he was not asked about it, and since he said that it was inadvertent that the others were left out, surely he means the same thing about all of the hospitals.

Mr. LENROOT. Oh, he does not, I am sure. We have dozens of hospitals that are not included here that are owned by the Government, the Public Health Service; and where are you going to stop?

Mr. THOMAS and Mr. ROBINSON addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Wisconsin yield?

Mr. LENROOT. I yield to the Senator from Colorado.

Mr. THOMAS. Mr. President, I merely wish to interrupt long enough to ask the Chair if there is still time for me to include a hospital in Denver, Colo.

The PRESIDING OFFICER. The Chair thinks there is.

Mr. ROBINSON. Mr. President, will the Senator yield for a statement?

Mr. LENROOT. I yield to the Senator from Arkansas.

Mr. ROBINSON. All this illustrates the necessity and importance of using general language that will enable the Government to avail itself of the privilege of extending any hospital that it is now using and owns. It appears that the provision reported by the committee omitted through the inadvertence of the Surgeon General, who stated the matter from memory, a number of these hospitals that were intended to be embraced. Now, why should we not use general language, such as is incorporated in the France bill, and such as is embraced in the amendment that I have proposed, authorizing them to extend or enlarge any plant that they own or may acquire? Why limit it to specific places?

I apprehend, as stated by the Senator from Wisconsin, that there are a number of other hospitals being used by the Government that the Government may desire to enlarge and continue to operate; but under this committee provision you can not enlarge one of them or extend it without additional legislation unless it is specifically named here, and we have the spectacle of

a contest here as to what places shall be included. Why not give them the power to enlarge any hospital that they have if the service needs it? Why limit it to a few places or to a given number of places?

Mr. WARREN. Mr. President, in answer to that I wish to say this: You can put off a thing from day to day, but the struggle comes some time. In this case the situation is the same as it is with public buildings. It has come to a pass now where we can no longer pass a public-buildings bill except in the form of an omnibus bill which names certain amounts and which carries very many buildings.

We are to-day scuffling as to whether we will or will not put in the names of certain places. It is easier to leave it to one man. What kind of a life will he lead, with all the Senators and Representatives in Congress at his heels here, in locating these different institutions or in enlarging them? We might as well take a part of this responsibility on our hands, locate a few of them with the intention of taking the others as he may recommend them, and set him to work at once to relieve this situation.

All this loud talk about relief relieves nothing unless you get somebody to work at once. That is why we want to get the Surgeon General in such a situation that he no longer has to wait for anybody, so that he may not have to spend hours in the morning seeing Senators and listening to them about this place or the other in which they want to locate a hospital.

Mr. NEW. Mr. President—

Mr. LENROOT. I yield to the Senator from Indiana.

Mr. NEW. So far as I am concerned, there is certainly no contest here for the inclusion of any place. I directly asked the Surgeon General if there was any reason why Evansville had been omitted from that list. He said there was not any other reason for it than that he had failed to remember it when he was asked to put down the names of the places that he wanted included in that list. He did not submit that list in writing; and he said that in doing it, in making a hasty memorandum for the committee, he had overlooked those two or three places, and that they should be included in the bill. As I said before, he did not say to me that he would write to the chairman of the committee, and I did not ask him to do so. That he did of his own accord, and it is at his request that these other places were named.

Mr. McKELLAR. Mr. President—

Mr. LENROOT. I yield to the Senator from Tennessee.

Mr. McKELLAR. All I have to say about the Memphis, Tenn., hospital is that it is not a question of locating one there. It has already been located there; there is no doubt about that; and it does seem to me that it ought not to be precluded because the matter of improvement is withheld from that and given to others.

Mr. LENROOT. Mr. President, it seems to me the Senate ought to see very clearly that the Surgeon General's Office presumably has made certain recommendations to take care of as many soldiers as equitably as possible within the appropriation of a certain amount of money. Now, if Senators are going to get up here, without recommendation from that office, and say: "We want to direct this hospital to be enlarged," or, "We want to direct that hospital to be enlarged," certainly Senators must see that they will be doing injustice to some soldiers, when the department has taken into consideration the entire country, and has made recommendations to take care of them as equitably as possible.

Mr. President, I have no objection to including every one that the Surgeon General has recommended, and I will vote for this amendment; but I am opposed to the amendment of the Senator from Tennessee, because if it is adopted I do not see how the Senate can refuse to adopt a dozen more which will be offered upon the same basis as that of the Senator from Tennessee.

Mr. ASHURST. Mr. President, I submitted some observations on this question on the 3d of this month, and I pointed out, without any intention of reflecting upon the author of the Langley bill, the serious vice of that bill. It is unmistakably manifest. Consider for a moment, on page 22, the following language:

The appropriations hereinafter made shall include and provide for five hospital plants of fireproof construction for the treatment of neuro-psychiatric and tuberculosis patients and shall be located as follows: One in the Central Atlantic Coast States, one in the region of the Great Lakes, one in the Central Southwestern States, one in the Rocky Mountain States, and one in southern California.

The committee had a delicate and difficult task with which to grapple, and, taking the subject by its four corners, the committee did exceedingly well. Let me illustrate: At Tucson, Ariz., in the southern part of the State there is United States Public Health Service Hospital No. 51. It is a United States Public Health Service hospital. Under the present provision of

the committee, although the Surgeon General desires to do so, he would not be permitted to increase the present capacity of that hospital.

The location of the additional hospitals should be left to the discretion of the Surgeon General.

That official, before he acts, would, of course, call for and follow the opinion and the advice of the trained physicians who are under him. So it seems that the more we debate the subject the more powerful becomes the argument that we ought not in such a serious matter attempt to name the hospitals; we ought to permit the Treasury Department, through the Surgeon General of the Public Health Service, to have a wide latitude, so that he can exercise his discretion not only as to the location but as to whether there shall be additional facilities at a particular hospital.

Mr. POMERENE. Mr. President, may I have the attention of the chairman of the committee for a minute? I would like to ask the chairman of the committee what special reason there is for naming certain of these hospitals, as at Boston, New York, Perryville, Whipple Barracks, and so forth?

Mr. WARREN. There is not any reason perhaps for naming anything anywhere if you want to put all the money in a bag and say nothing about it. But these matters, as I said, were investigated, and it was estimated how much they would cost, how many beds could be furnished, and it amounted to approximately 2,750 beds, in the first place, and perhaps over one-half as many more in the two military posts last named, and just as I have stated. I want to see this work done right away without any further delay and to get these men into these hospital beds right away. If we pass the bill with this amendment in it, the Surgeon General will make an authorization; there will be no further brake on him, and he can go ahead.

Mr. POMERENE. Mr. President, I want to ask a further question—

Mr. FLETCHER. In this connection I want to ask if it is not true that the hospitals at all these places named are now being used?

Mr. WARREN. They are all Government property, and they are all now in use.

Mr. POMERENE. It turns out that there are some other places being used. I want to ask another question as preliminary to the making of a motion. What special reason is there for the proviso:

Provided, That not exceeding \$600,000 of the amount herein appropriated is authorized to be expended at Fort Mackenzie, Wyo., and Fort Walla Walla, Wash., in providing and greatly increasing hospital facilities thereat.

What special reason is there for stating that sum?

Mr. WARREN. There are two posts with satisfactory accommodations for housing, we will say, in one case a thousand men, perhaps in the other more; but to make it applicable to hospital uses you have to take those barracks and install partitions, and so forth, and perhaps do some outside work in the way of providing water and electricity, and so forth. You have to fit the other portions for the help not only for the surgeons, but for the nurses and all the other lesser help. No post built for a military post only has any hospital facilities larger than for the number of men quartered there.

Mr. POMERENE. I can understand that; but was the committee of the opinion that it would be proper to expend the \$600,000 for these purposes at these particular posts?

Mr. WARREN. So much as might be necessary. As I have explained—and perhaps I ought not to observe it—they have already provided separately for that in the bill which came to us from the House. I am trying to get something so that when we get to conference it can not be knocked out by the swipe of a hand as being entirely outside of anything the House has shown any disposition to expend.

Mr. POMERENE. It has been demonstrated that an error was made in naming these hospitals and not naming some others, and it is also suggested that because some others were named which ought to have been named, still others should be added for which there is no recommendation at all, and as a substitute for the amendment I move to strike out all after the word "purposes," on line 1, page 21, to and including the word "Kentucky," on line 4.

Mr. WARREN. I think there is an amendment to the amendment pending.

The PRESIDING OFFICER. There is an amendment to the amendment pending. The motion is out of order.

Mr. POMERENE. I offer this as a substitute.

The PRESIDING OFFICER. There is an amendment to the amendment pending now.

Mr. POMERENE. I think the Chair is correct.

Mr. WARREN. That would not be in order.

Mr. POMERENE. I offer it for this reason: It will then give to the proper authorities full authority to expend this money at any place now being used, or that has been used, by the Public Health Service, so that they can take care of the places named here, or any others, including Memphis, if that is a proper place. I do not know about that. There may be still other places.

Mr. McKELLAR. I want to assure the Senator that Memphis is a proper place. It is one they use now.

Mr. POMERENE. I have not seen any place named in Ohio as yet. I do not know whether there is such a place as that there, but there might be.

Mr. WARREN. If Ohio is left out, then for goodness sake let us put it in. Let us get Ohio in somewhere, dead or alive.

Mr. POMERENE. It will be pretty much alive after a while.

Mr. THOMAS. Mr. President, I am sorry my attention was not called to this provision earlier, because I am sure if it had been, by camping day and night with the Surgeon General of the Public Health Service I could have secured the incorporation in his list of my home city of Denver. We have a very large hospital there which has been used in part by the Public Health Service, and we have a climate the knowledge of whose healing properties has been general throughout the world for a great many years. It is the most attractive and salubrious climate in the world for tubercular patients. We have, in addition to that great public hospital, several tuberculosis sanitariums, all of which have been built there because of the advantages, climatic and otherwise, which that hospitable and dry atmosphere offers to those suffering from that terrible malady.

I am very sure, Mr. President, that if the Surgeon General had had any time whatever for reflection he would, without any solicitation of mine, have intuitively and instinctively and inevitably included the city of Denver, State of Colorado, in his list. It is in all probability a future calamity not only to the people of my city and to the ex-soldiers suffering with tuberculosis, but also to the people of the United States, that the city of Denver has not been included in this list. I can readily see, Mr. President, that the exclusion of it, by implication at least, will result in the exhaustion of this enormous appropriation long before the officers of the Government reach the Missouri River in their journey westward, and I am very sure that there is no place east of the Mississippi River which can compare with the climate of my State for tuberculosis.

There is another reason why I think Denver should be included. My State went Republican last year by 68,000 majority. It is the first time it has given its electoral vote to the Republican candidate since 1904, and the second time it has given that sort of a result since 1888. I think my friends on the other side should encourage this political aberration—for I hope it will eventuate in nothing more serious—by recognizing the need for sweetening us a little bit and enabling us to come in and have the great city of Denver associated with the great city of Boston, and New York, and Perryville, and Norfolk, and Whipple Barracks, and Chicago, and Lake City, Fla., and Atlanta, and Louisville, and Memphis, and all the other places which are actuated only by the principle that actuates me, a desire to help the ex-soldiers.

So I ask leave to amend the amendment, if it is possible, by inserting somewhere in the list of favored places the present Republican city of Denver, Colo. I do not care whether it appears alphabetically, whether it is like Abou Ben Adhem, to lead the list, or whether like Zebulon, to end it; just so it is there. [Laughter.]

The PRESIDING OFFICER. The amendment, the Chair will say to the Senator, is out of order, as it would be an amendment in the third degree.

Mr. THOMAS. That is my misfortune in being so late.

Mr. ASHURST. On the 3d of February, Mr. President, I said as follows:

Surely Congress will not make a pork-barrel bill out of a hospital bill. I thought we had passed the day of the pork barrel.

The attempt on the part of Congress to locate hospitals and to deprive the Surgeon General of any discretion in the premises will not be in the interest of general welfare.

Mr. GLASS. Mr. President, it seems to me that this proposal involves a substitution of the uninformed judgment of Congress for the professional judgment of the Surgeon General of the Public Health Service. The Senator from Arkansas [Mr. Robinson] said awhile ago—and I think properly said—that the commission proposed by this bill, upon which there are to be Congressmen, if the amendment prevails, would not be competent to determine questions of architecture or questions relating to the effective equipment of hospitals. But now it is proposed to substitute the judgment of the Senate—totally uninformed upon these details—for the judgment of the Surgeon General,

formed and frankly expressed at a time when he was free from importunate demands from Members of Congress for the location of these hospitals in their respective States. This problem should be put above a scramble for public buildings. We are dealing with a thing that vitally concerns men disabled while fighting for their country. The committee conceived, and believes now, that the Surgeon General specified these particular hospital extensions because he had made an intelligent survey of the whole country, and deemed these particular points the proper points and the urgent points for the expenditure of these sums and the extension of these hospital facilities.

If we strike out these definite points, accepting the suggestion made by the Senator from Ohio [Mr. POMERENE], it means that we shall hammer over old brass and that the Secretary of the Treasury will be importuned to locate these permanent structures at points not urgently requiring improved hospital facilities as may be recommended by the Surgeon General, free from extraneous considerations.

If we do not proceed in this orderly fashion, my friend the Senator from Tennessee [Mr. McKELLAR] will swiftly point out to the Surgeon General the urgent necessity of having an extension made at Memphis. The distinguished Senator from Colorado [Mr. THOMAS], who wittily suggests that the Republican city of Denver should be taken care of, will immediately call upon him with wholesome advice. Perhaps I shall want him to consider some points in Virginia, and so on. It seems to me this will make for delay and confusion.

Therefore, I think the committee has acted wisely in proceeding upon the advice of the Surgeon General, and I shall vote for the amendments proposed by the committee, which are based upon the judgment of the Surgeon General, and against any that are not specifically recommended by the Public Health Service.

Mr. POMERENE. If I may suggest to the Senator from Virginia, I think the sole reason I had in mind in proposing the amendment which I did was to avoid the possibility of excluding some place which had already been determined upon by the Surgeon General. The record of debates thus far shows that by some means Evansville and Fort Bayard were omitted. If my amendment is agreed to, the Surgeon General can immediately recommend every one of those places and no other places.

Mr. GLASS. If the Senator will permit me, I assume that when the attention of the Surgeon General was called to the fact that Evansville had been omitted and he said to the Senator from Indiana [Mr. NEW] that it had been inadvertently omitted, the Surgeon General, in his own mind and upon his data and records, reviewed the entire situation. That is indicated by his letter to the chairman of the Committee on Appropriations, in which he not only includes Evansville, but includes two other points which were inadvertently omitted. Hence, I think that we may safely assume that the Surgeon General, for present emergencies, has covered the whole ground. I think it would be wise for the Senate to adhere to the recommendations of the Surgeon General.

Mr. LENROOT. Mr. President, I wish to ask the Senator from Wyoming, inasmuch as the Presiding Officer has ruled, and properly ruled, that amendments to the pending amendment are not in order because in the second degree, whether or not he would be willing to modify his amendment so as to exclude Memphis, in order that we may vote upon the proposition exclusive of Memphis?

Mr. WARREN. I have just consulted the Senator from Tennessee [Mr. McKELLAR], and I think he will be willing to have us pursue that course. It is entirely in reason, if we are following the recommendation of the Surgeon General at this time, of course, to follow it exactly, and unless some objection is made, I shall move to modify by striking out that part of the amendment.

The PRESIDING OFFICER. The amendment now pending is that offered by the Senator from Wyoming to the amendment of the committee. The Senator from Wyoming can modify his amendment as he pleases.

Mr. WARREN. I ask that it be modified in accordance with the memorandum which I send to the desk.

The PRESIDING OFFICER. The proposed modification will be stated.

The ASSISTANT SECRETARY. Strike out the words, "Memphis, Tenn.," so that it will amend the committee amendment on page 21, at the end of line 4, after "Louisville, Ky.," by inserting "Fort Bayard, N. Mex., Evansville, Ind., Pittsburgh, Pa."

The amendment to the amendment was agreed to.

Mr. WARREN. In order to perfect the matter, I send to the desk an amendment to increase the amount from \$5,000,000 to \$6,100,000. That is to correspond with the estimate of the Surgeon General.

The PRESIDING OFFICER. The proposed amendment to the amendment will be stated.

The ASSISTANT SECRETARY. On page 21, line 5, strike out "\$5,000,000" and insert in lieu thereof "\$6,100,000."

The amendment to the amendment was agreed to.

Mr. POMERENE. Mr. President, I gave notice of an amendment which I intended to offer a moment ago, but as the amendment just agreed to includes only those places which have already met with the approval of the Surgeon General I shall not press my amendment further.

Mr. ROBINSON. Mr. President, I move the adoption of the following amendment: On page 22, strike out lines 7 to 16, inclusive, all the language in that paragraph of the committee amendment. This is the provision in the committee amendment granting authority to construct five hospitals and to locate them in five general sections of the country—one in the Central Atlantic Coast States, one in the region of the Great Lakes, one in the Central Southwestern States, one in the Rocky Mountain States, and one in southern California.

This feature of the committee amendment has already been discussed somewhat at length. It can serve no beneficial purpose. If it made definite the location of the hospitals and prescribed that those hospitals should be located in certain places or near certain places, it might be urged in behalf of it that the presence of the provision in the legislation would expedite the location of the hospitals and the making provision for the facilities necessary for sick and disabled soldiers. But the description of the location is so general and indefinite that while it accomplishes no useful purpose, it imposes an unwarranted and unnecessary limitation upon the Secretary of the Treasury in the location of the hospitals.

The Senator from Georgia [Mr. HARRIS] has already pointed out that under the arrangement effected three of the hospitals will be required by law to be located in territory where 20 per cent of the population of the United States exists. I am perfectly content that that should be done if upon investigation it is found necessary and in the interest of the service to do it. But I am unwilling to commit myself—and I think other Senators are unwilling to commit themselves—to that result unless it is necessary.

The Secretary of the Treasury, with the agencies and information which he already has available, can speedily locate hospitals necessary for the urgent requirements of the service. If five are required, he ought to be permitted to locate that number; but if seven are required, if the service would be improved by establishing seven new hospitals, he ought not to be prevented by law from doing that. If the extension of existing hospitals with three additional hospitals would meet the requirements of the service better, then he ought not to be required to build five new hospitals. No beneficial purpose is being accomplished whatever. We are not eliminating the scramble for the location of the hospitals by adopting these provisions for locations so general and indefinite that there is still left an opportunity for much controversy and dispute about the matter.

Therefore I move to amend by striking out that provision, thus leaving the Secretary of the Treasury free to provide as many hospitals as may be necessary; to locate them where the interests of the service require that they shall be located, thus relieving him, in so far as possible, from the contests which will arise about the location of the hospitals in the various regions.

I would like to have some one sponsor for this provision in the bill justify it. The Senator from Washington [Mr. POINDEXTER], in a very intelligent discussion of the matter, said that the only reason in the world for it being there, so far as he knew, was that it was in a bill in the House of Representatives that some one else said was going to pass, and which, as a matter of fact, has passed the House of Representatives to-day. But I submit that is not sufficient justification for inevitable impairment of the service which would result by the adoption of the provision.

Mr. OVERMAN. Mr. President—

Mr. ROBINSON. I yield to the Senator from North Carolina.

Mr. OVERMAN. I wish to ask the Senator from Arkansas or any other Senator if he can tell me which are the Central Atlantic Coast States?

Mr. ROBINSON. It might require the Secretary of the Treasury quite a little while to determine what States are embraced within the general description contained in the bill. I am not an expert on geography, but, so far as I know, the description is not a scientific one, and it is not one that is universally recognized by geographers. We are writing into the provision a requirement that the Secretary of the Treasury shall first determine what States are embraced in the five areas designated. Take the description "region of the Great Lakes." I would like for some Senator, who is willing to rise in his place

and stand sponsor for the bill, to say just exactly what territory would be comprehended in "the region of the Great Lakes." It is a very general description, and it has not the slightest value in so far as the legislation is concerned.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield.

Mr. ASHURST. Along that line I was going to make an observation. For instance, reference is made to "the Central Atlantic Coast States." Would that include Boston, or would it not? The testimony is that a large number of ex-soldiers in the New England States require hospitalization.

Mr. ROBINSON. It probably would not include Boston in any construction of the language that I might be required to make. While I do not know exactly what comprises the Central Atlantic Coast States, I rather think it would not include Massachusetts and probably would not include Florida, because they are certainly not in the center of the Atlantic coast so far as I understand the geography of the United States.

All this discussion illustrates the absurdity of the provision. If we are legislating upon the subject in the interest of the service, if we are trying to do what is right and best for the sick and disabled soldiers of the Nation, let us strike out this provision and give the Government authorities, charged with the location of hospitals, the right to construct as many of them as may be necessary within the limits of authorization, and the right to locate them where they will be most serviceable to the patients who are to receive treatment in them.

Mr. ASHURST. It is generally known that as to one or two hospitals located in New England and not in Central Atlantic Coast States the leases on such hospitals will soon expire; the leases can not be renewed; it can not be done although it has been attempted. This very bill would preclude the Surgeon General from constructing a hospital in the very region where soldiers now are being hospitalized, and where the leases on existing private hospitals will terminate on the 1st day of July.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas [Mr. ROBINSON] to the committee amendment proposing to strike out, on page 22, the clause from line 7 to line 16, both inclusive, as amended.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the committee amendment as amended.

Mr. WARREN. The amendment to the committee amendment which has just been adopted will, I think, necessitate a further amendment of the committee amendment, on page 24, line 9, by striking out the language "\$2,500,000 for each of the five plants," so that it would read:

There is appropriated for the purposes herein provided the sum of \$12,500,000, or so much thereof as may be necessary.

I move that amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment proposed by the Senator from Wyoming will be stated.

The ASSISTANT SECRETARY. On page 24, line 9, of the committee amendment it is proposed to strike out "\$2,500,000 for each of the five plants," so as to read:

There is appropriated for the purposes herein provided the sum \$12,500,000, or so much thereof as may be necessary.

Mr. ROBINSON. I desire to offer a substitute for the committee amendment. The amendment involves the big question presented by the committee amendment.

Mr. WARREN. I have a further amendment which I desire to offer to the same clause.

The PRESIDING OFFICER. Let us first dispose of the pending matter.

Mr. ROBINSON. Very well.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Wyoming to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. WARREN. Now, Mr. President, I send to the desk an amendment to the amendment, to which I invite the attention of the Senator from Arkansas.

The PRESIDING OFFICER. The amendment proposed by the Senator from Wyoming to the amendment of the committee will be stated.

The ASSISTANT SECRETARY. On page 24, line 10, after the word "necessary," it is proposed to insert "to be immediately available and to remain available until expended."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Wyoming to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on the committee amendment as amended.

Mr. ROBINSON. Mr. President, I now desire to present an amendment increasing the authorization for the construction of hospitals which is carried in the bill. The committee amendment segregates the authorization into two amounts. The last amount is \$12,500,000, and the provision of the amendment as to the first amount, which was a limitation on the expansion or enlargement of the hospitals now owned by the Government and specifically named on page 21 of the bill, if I remember rightly, was modified to provide \$6,500,000.

Mr. WARREN. It is modified so as to provide \$6,100,000, which would make the bill carry for hospital purposes an appropriation of \$18,600,000.

Mr. ROBINSON. Mr. President, the authorization in the bill is \$18,600,000. The first item of appropriation—\$6,100,000—can only be used for the enlargement or extension of existing plants which are owned by the Government. The \$12,500,000, in theory of law, may be used for any other purpose which is authorized by the committee amendment. We have stricken out of the committee amendment the requirement that there be five new hospitals constructed, to be located in different sections of the country, so that the \$12,500,000 as carried in the bill would be available, if the provision should prevail as it now stands, for the acquisition of new sites anywhere and for the construction of new hospitals upon them during the coming fiscal year.

The amount is wholly inadequate to meet the requirements of the service. The Secretary of the Treasury estimated that an authorization of \$35,000,000 would be required to supply additional accommodations necessary for those who are now known to require them. It is true that a portion of that amount can not be expended within the coming fiscal year, but the value of making an authorization sufficient in amount to enable the Secretary of the Treasury to provide for all sick and disabled soldiers who need hospital facilities must be apparent to everyone. Unless we do that, Mr. President, or attempt to do it, we shall be confronted with the very same proposition during the coming year that has arisen during the present year. If we authorize only such sums as may be expended during the coming year, manifestly that amount will be inadequate to meet the requirements of sick and disabled soldiers now needing hospital facilities. It requires months, in many instances five or six months, to procure a location and to prepare the necessary plans and specifications for hospitals such as are contemplated by the legislation we are now enacting. If we want to do something substantial and to relieve the embarrassments of the service, we ought to make an additional authorization. It will not be necessary to appropriate the amount to be expended for another year, but we ought to enable the Secretary of the Treasury to go forward and make, as was suggested by the Senator from Washington during his remarks, contracts, plans, and specifications, particularly wherever advantageous contracts and specifications may be procured. It seems to me that that declaration is perfectly self-evident.

The Secretary of the Treasury in his report, speaking on this subject, says:

In summarizing the need for the construction of hospitals to meet the requirements of ill and disabled ex-soldiers and sailors, to whom the country owes so much, I should point out that, according to the best estimates obtainable, there will probably be a need of a total of something like 30,000 permanent beds in the United States. It seems fitting in every sense that the National Government should adequately provide for the needs of these men, and I know of no way by which this can be done except by the construction of permanent, suitable institutions, particularly for those who suffer from tuberculosis or nervous and mental disorders. The Nation earnestly desires that the medical and hospital needs of her heroic sons be met in a manner that will show America's appreciation of the glorious service they rendered to their country. I am satisfied that the need can not be met unless adequate provisions be made in permanent Government institutions.

The estimates which are being submitted to Congress contemplate an expenditure of approximately \$35,000,000 for the construction of hospitals to meet the imperative demands of the situation, and, in my judgment, this sum is by no means excessive to care for this real emergency and the immediate obligations of the Federal Government. I earnestly urge that the Congress appropriate the necessary funds for this purpose at the earliest practicable date.

The estimate of the Secretary of the Treasury, as will be seen, is that to meet the urgent and immediate requirements of this service the expenditure of \$35,000,000 must be authorized. The committee proposes to authorize the expenditure of \$18,600,000, doubtless on the theory that that is as much as can be expended during another year; but the difficulty about the matter lies in the fact that if we only authorize the amount carried by the committee's provision we will never catch up with the requirements of the service or even approximate that accomplishment.

Mr. President, I have on my desk telegrams and letters, resolutions adopted by the General Assembly of the State of Arkansas, and resolutions adopted by various local posts of the American Legion, by the State organizations of ex-soldiers, and by civic organizations, urging the real importance of making ade-

quate provision now for the immediate demands of those who require hospital treatment.

I think Congress will fall far short of its duty if it fails to make an authorization in the neighborhood of the estimate made by the Secretary of the Treasury. We will have accomplished only partial relief if we authorize only \$18,600,000 for this purpose.

The provisions reported by the committee contemplated that nothing should be done for additional hospital facilities except the enlargement of the existing plants named in the bill and the construction of five certain hospitals. We have stricken out the requirement and limitation as to the five hospitals, and, according to the language of the amendment as it now stands, the Secretary of the Treasury is at liberty to provide just as many hospitals as may be needed and locate them wherever they will serve best the purposes of the service. That is right; but if we only retain the authorizations contained in the bill, he will not be able to proceed at once with the construction of the hospitals that we know are required.

Therefore I move, in lieu of \$12,500,000, on page 24, to insert the following:

In addition to the sum of \$6,100,000 herein appropriated, the Secretary of the Treasury is authorized in his discretion to enter into contracts for the purpose of carrying out the provisions of this act within the limit of cost hereby fixed, to wit, the sum of \$30,000,000, of which sum \$18,500,000 is hereby appropriated for the fiscal year ending June 30, 1922, and which said sum so appropriated shall become immediately available upon the approval of this act.

The effect of the amendment, Mr. President, is to make an authorization of \$30,000,000.

Mr. WARREN. Mr. President, the Senator's figures are not quite right unless he wants to exceed the amount he states. If he wants to make it \$30,000,000 he should make the sum \$11,400,000.

Mr. ROBINSON. Mr. President, I will change the figures "\$30,000,000" to "\$25,000,000," and let it stand at that. Strike out "\$30,000,000," and let it stand at "\$25,000,000." In addition to the \$6,100,000, I want to authorize at least \$25,000,000 more, so that it will read:

In addition to the sum hereinbefore authorized, to wit, \$6,100,000, the Secretary of the Treasury be and he is hereby authorized, in his discretion, to enter into contracts for the purpose of carrying out the provisions of this act within the limit of cost hereby fixed, to wit, \$25,000,000, of which sum there is hereby appropriated \$18,500,000.

Mr. WARREN. Mr. President, may I ask the Senator if he takes notice of the fact that on lines 8 to 10, on page 24, there is \$12,500,000 appropriated?

Mr. ROBINSON. I am striking out that sum. I am moving this sum in lieu of that.

Mr. WARREN. The Senator is inserting this sum in lieu of that?

Mr. ROBINSON. Yes. Strike out "\$12,500,000," and insert in lieu thereof the following language—

Mr. JONES of Washington. Mr. President, will the Senator allow me to make a suggestion?

Mr. ROBINSON. If the Senator will let me dictate the language, I know what I want.

Mr. JONES of Washington. I just wanted to suggest that in the river and harbor bill there are provisions like I think the Senator wants made. Why would not this meet what the Senator wants? As I understand, lines 8, 9, and 10 actually appropriate \$12,000,000, or whatever increase is made. Why do we not say there:

And in addition thereto the Secretary of the Treasury is authorized to enter into contracts for additional expenditures in the aggregate not exceeding—

So many million dollars. I do not know just how much the Senator wants.

Mr. ROBINSON. The difficulty of the matter is that the figures have been changed since I have prepared my figures here.

Mr. JONES of Washington. Yes; I know.

Mr. ROBINSON. I want to authorize \$31,100,000.

Mr. JONES of Washington. Now, I just say:

In addition thereto—

That is, in addition to the amounts already appropriated herein; in addition to the amounts the Senator wants that will bring it up to the sum he wants—

the Secretary of the Treasury is authorized to enter into contracts in addition thereto in an amount not exceeding—

So many dollars.

Mr. ROBINSON. The present appropriation ought to be \$6,100,000, plus \$12,500,000—that will make it—the total authorization to be \$31,100,000.

In addition to the sum already appropriated, \$18,600,000 is hereby appropriated for the fiscal year ending June 30, 1922.

Mr. JONES of Washington. The Senator wants to authorize contracts in addition, now, of \$12,500,000?

Mr. ROBINSON. Yes. The Senator from Utah is working at one thing and I am working at another.

Mr. JONES of Washington. The addition of \$12,500,000 makes the \$31,100,000.

Mr. WARREN. Mr. President, will the Senator allow me to read a provision?

Mr. ROBINSON. Just a moment. I have it now:

In addition to the sum hereinbefore appropriated, to wit, \$6,100,000, the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to enter into contracts for the purpose of carrying out the provisions of this act within the limits of cost fixed hereby, namely, \$31,100,000, of which amount there is hereby appropriated for the fiscal year ending June 30, 1922, \$12,500,000, which shall become immediately available upon the approval of this act.

I thank the Senator from Utah for his assistance.

Mr. WARREN. Now, may I ask the Senator just how much he wishes to appropriate and authorize altogether?

Mr. ROBINSON. Thirty-one million one hundred thousand dollars.

Mr. WARREN. If the Senator will just let me read him the short way to do that, I suggest leaving the appropriation on page 24 as it has been changed, to make the \$12,500,000 applicable everywhere, and adding to that this proviso:

That authority is hereby given to enter into a contract or contracts for the purposes authorized herein, subject to future appropriations, in addition to the appropriations contained herein, amounting in the aggregate to \$12,500,000.

That, added to the \$12,500,000, and the \$6,100,000—

Mr. ROBINSON. That will accomplish it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas.

Mr. LENROOT. Mr. President, I should like to ask the Senator from Arkansas a question. I was absent from the Chamber for a few moments. Has the language of the amendment specifying the locations been stricken out?

Mr. ROBINSON. No.

Mr. WARREN. Yes.

Mr. LENROOT. Then, if this amendment were adopted, to what would it apply?

Mr. ROBINSON. Oh, yes; I misunderstood the Senator.

Mr. WARREN. As to the five, it has all been stricken out.

Mr. ROBINSON. I misunderstood the Senator's question. We struck out the language locating five hospitals in different sections of the country.

Mr. LENROOT. But was the number of five retained? That is what I am getting at.

Mr. ROBINSON. No; the number was left to the discretion of the service, which I think is proper. We just struck out that limitation.

Mr. KIRBY. Mr. President—

Mr. ROBINSON. I yield to the Senator.

The PRESIDING OFFICER. The Senator from Wisconsin is entitled to the floor.

Mr. ROBINSON. I thought I had the floor.

Mr. LENROOT. A vote was about to be taken, and I secured the floor.

The PRESIDING OFFICER. The Senator from Wisconsin is entitled to the floor. Does he yield to the junior Senator from Arkansas?

Mr. LENROOT. I do.

Mr. KIRBY. It seems to me, having stricken out entirely the provision relating to the construction or establishment of five hospitals for insane people and for tuberculosis patients, should we not now put that back in—at least, this much of it—so that the appropriation hereinafter made shall include a provision for five hospitals of fireproof construction for the treatment of these two kinds of patients?

Mr. ROBINSON. No; we do not want any limitation, or at least I do not want any limitation, on the right of the Secretary of the Treasury to build as many hospitals as may be necessary, and to locate them wherever he pleases, and to put any sick or disabled soldiers in them that may be found consistent. We do not want that limitation used.

Mr. KIRBY. But what I was driving at was this: You say "for the hospitals already provided" here, when there is no provision made about it.

Mr. ROBINSON. No; the Senator does not understand that there is authority in another portion of the amendment to select sites.

Mr. WARREN. The amendment will apply on page 24, after line 10.

Mr. ROBINSON. Yes; I know. The junior Senator from Arkansas is discussing one thing and I am discussing another.

I offer the amendment which I send to the desk, Mr. President.

Mr. LENROOT. I yield for that purpose.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 24, after line 10, and after the amendment already agreed to at that place, which inserted the words "to be immediately available, and to remain available until expended," it is proposed to insert the following:

Provided, That authority is hereby given to enter into a contract or contracts for the purposes authorized herein, subject to future appropriations by Congress, in addition to the appropriations contained therein, amounting in the aggregate to \$12,500,000.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Arkansas.

Mr. LENROOT. Mr. President, in the first place I should like to suggest to the chairman of the committee that it seems to me the words "subject to future appropriations by Congress" would destroy the entire value of the authorization, because no contract would be made by anyone subject to future appropriations by Congress. There must be an absolute appropriation.

Mr. ROBINSON. Of course, that language ought to go out. Strike out the language "subject to future appropriations by Congress."

Mr. WARREN. Mr. President—

Mr. ROBINSON. What I want to do, and what I think the amendment did, that I finally stated, was to make an additional authorization of \$12,500,000.

The PRESIDING OFFICER. Will the Senator designate the words he strikes out?

The ASSISTANT SECRETARY. It is proposed to strike out the words "subject to future appropriations by Congress."

Mr. WARREN. Mr. President, allow me to say that we are getting very far afield, indeed. The purpose of the sundry civil bill is not to authorize expenditures for the future. We are assuming here the duties of other committees. The Rivers and Harbors Committee, the Committee on Public Buildings and Grounds, and others do the authorizing. This committee does the appropriating. We always put in in the first part of this bill or other bills the public buildings that are needed from year to year, but they are all authorized by another committee and at another time. We do the same with rivers and harbors. Now, it seems to me that if Senators have any confidence in themselves and in the future they ought to know that we all intend to provide for this very thing all that is sufficient to provide for, and it is not wise to button it down so that we will appropriate when we do not know beforehand where we are going to come out. We may want more than that. I shall be only too ready to vote more than that money if it is needed.

Mr. ROBINSON. I am sure we will want more, but I agree with the Senator from Wisconsin that it serves no very useful purpose if the Secretary of the Treasury could not go forward with those contracts and with this work.

Mr. WARREN. Are we appropriating money in this bill or are we authorizing without making appropriations?

Mr. ROBINSON. This bill contains a great deal of legislation, Mr. President—legislation of far less importance than the provision that is now offered.

Mr. WARREN. Suppose we authorize it; then when will it be appropriated?

Mr. ROBINSON. It will be appropriated whenever it is needed to be appropriated.

Mr. WARREN. It provides for an appropriation now.

Mr. ROBINSON. No; I think not.

Mr. WARREN. How does the Secretary proceed to expend the funds under the law except as the money is appropriated?

Mr. ROBINSON. He would not expend the funds, but he could make contracts to the limit of \$12,500,000, in addition to the funds that are appropriated in this bill; and that is what I want.

Mr. WARREN. Then we would have to appropriate the money for it.

Mr. ROBINSON. Yes, if he made the contracts; and that is exactly what I want. If the Senator imagines that I am playing with the proposition, he is mistaken. I do not, in my amendment, propose the appropriation now, because it is not necessary to do that. But I want the Secretary of the Treasury to have the power to go ahead and prepare to meet the requirements of the men who need this hospital service.

Mr. WARREN. And when it comes a time to appropriate it, then it will be the same as with the public-buildings proposition and we shall have to provide it that year or some other year.

Mr. ROBINSON. I want it to be on such a basis that the Government will be obligated to carry out the contracts of the Secretary of the Treasury, of course.

Mr. LENROOT. Mr. President, I do not think this authorization should be made, for just one reason, which is wholly in

the interest of the disabled soldiers. It ought to be the aim and purpose in this legislation to secure the greatest hospital facilities at the end of the next fiscal year that it is possible to secure with the money we appropriate. But if this authorization is to be made and these contracts are to be permitted to cover a two years' program, it is sure to follow that a part of this \$18,500,000 will be used on the 2-year continuing program and not for the completion of as many hospitals as possible in the next fiscal year. Contracts will be made covering the two years if this amendment is agreed to, and at the end of this next year there will not be as great facilities for the care of these soldiers as if the amendment is not adopted. Of course, Mr. President, no one believes for a moment but that at the time the next appropriation bill is passed we will be ready to appropriate at least as much as the Senator will authorize in this amendment.

Mr. ROBINSON. The difficulty about the matter is that in the meantime a delay will have occurred that will be avoided if we agree to this amendment. The Secretary of the Treasury, if the amendment is agreed to, will begin, of course, to provide for the construction of hospitals.

Mr. LENROOT. He will begin with a 2-year program, and contracts will be let for a 2-year program, which will mean that at the end of the next fiscal year you will not have as great facilities as if this authorization is not made.

Mr. ROBINSON. I do not think that follows at all, because in all probability no new hospitals will be completed within the fiscal year.

Mr. LENROOT. Oh, yes.

Mr. ROBINSON. It is entirely improbable that a great hospital can be put in operation during that time.

Mr. LENROOT. If we have to wait 15 months for a hospital, it is not very encouraging for the disabled soldier.

Mr. ROBINSON. Mr. President, it requires from five to six months to locate a site and prepare plans and specifications for one of these hospitals. That has been the experience of the past, and if we wait and only make the authorizations now of such sums as will be actually expended during the coming fiscal year we will be no nearer up with the requirements of the service at the end of that time than we are now. What I want to do is to enable the work to go forward as speedily as possible.

Mr. LENROOT. Is it the Senator's purpose to use a part of this \$18,500,000 for hospitals the actual construction of which is not to begin until 1923?

Mr. ROBINSON. The entire sum of \$18,500,000 is made immediately available, and it is expected and desired that the Secretary of the Treasury will go forward with the expenditure of that sum just as rapidly as possible, and there is no reason in the world why before that sum is expended plans should not be in process of preparation and sites being procured for additional hospitals.

Mr. LENROOT. And that will have to come out of this \$18,500,000?

Mr. ROBINSON. It will not.

Mr. LENROOT. Where will it come from?

Mr. ROBINSON. Out of the appropriation Congress is obligated to make by the proviso I have just spoken of.

Mr. LENROOT. The Senator utterly mistakes his amendment. There is an appropriation of \$18,500,000. The Secretary can spread it over the entire two years' program. He can use the \$18,500,000 for the preparation of plans for a hospital that he does not intend to begin the construction of for two years, and that is the reason I object. Every dollar of this sum should be used for the completion of hospitals at the earliest possible moment.

Mr. ROBINSON. And it will be. The sum is made immediately available.

Mr. LENROOT. It will not be, under the Senator's amendment.

Mr. ROBINSON. The proviso makes an additional authorization of \$12,500,000, and at the beginning of the next fiscal year, if appropriations in the meantime are made or required, the work will be advanced far enough to hasten the completion of the additional hospitals contemplated by the \$12,500,000 authorization.

Mr. SMOOT. Mr. President, not only should the Senate take into consideration what the Senator from Wisconsin [Mr. LENROOT] has said, but at this time to authorize the making of contracts for building hospitals at the prices prevailing to-day, for which an appropriation is not to be made for another year, or perhaps longer, is a very poor business proposition. I know it will be very well for those who desire to build these hospitals to get the rates now prevailing for everything that would be required to go into the structures, but I have not a doubt, Mr. President, if this authorization is not made, and if

the \$18,500,000 provided for now in the bill for immediate appropriation is used, and just as quickly as possible to procure the plans and get the work under way, when the next appropriation is made the contracts will be let for at least 25 per cent less. Why not save 25 per cent to the Government of the United States, when it will not interfere at all with taking care of the disabled soldiers?

I think 25 per cent of the \$18,500,000 is worth saving, and there may be more than a 25 per cent decrease in the building costs in the United States within the next 15 months. If indications are to be relied upon, I am quite sure it will be that much, and it may be even greater.

So, Mr. President, when we make a direct appropriation for the enlargement of the hospitals amounting to \$6,100,000 and a further appropriation for building hospitals of \$12,500,000, it seems to me that is all that can be expended within the next year profitably, not only to the ex-soldiers, but to the Government itself. Then I am positive that at the end of the year, when the next appropriation bills come up, or, if necessary, a bill carrying the amount outside of a regular appropriation bill before the appropriation bills pass, \$12,500,000, or whatever is necessary to take care of hospitalization for the ex-soldiers, will be granted by Congress at any time.

It is not a question of the amount of money; it is a question as to when to make the appropriation; and if we do not authorize these contracts to be entered into now for buildings to be built 15 or 18 months later, the amount of the contracts at the end of 15 months, if entered into, will be 25 per cent less than if entered into to-day.

REDUCTION OF ARMY—VETO MESSAGE.

Mr. WADSWORTH. Mr. President, I have been assuming for some time past that the discussion of the pending committee amendment would come to a close and the Senate would act upon it finally. But up to this point, of course, I have been somewhat disappointed.

I desire to remind the Senate that there is a message upon the Vice President's desk from the House of Representatives, carrying with it the veto message of the President of the United States addressed to the joint resolution passed by the Congress suspending recruiting in the Army until by the process of discharge the Army shall be reduced to 175,000 men. I am exceedingly anxious that that shall be acted upon to-day by the Senate.

Mr. LODGE. It must be.

Mr. WADSWORTH. Indeed, it must be acted upon to-day. I was going to ask the chairman of the committee in charge of the appropriation bill if he would have any objection to that message being laid before the Senate now and a roll call had upon it? I feel quite certain that there will be no discussion.

Mr. WARREN. If I am permitted to do so, I willingly consent.

The VICE PRESIDENT. The Chair has power to lay the message before the Senate at any time. The Chair lays before the Senate the action of the House of Representatives and the message of the President, which will be read by the Secretary.

The Assistant Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, Saturday, February 5, 1921.

The House of Representatives announced that the President of the United States having returned to the House of Representatives, in which it originated, the joint resolution (H. J. Res. 440) directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the case of those men who have already served one or more enlistments therein, with his objections thereto, the House proceeded, in pursuance of the Constitution, to reconsider the same; and

Resolved, That the said joint resolution do pass, two-thirds of the House of Representatives agreeing to pass the same.

Veto message of the President of the United States:

To the House of Representatives:

I return herewith, without my approval, House joint resolution No. 440, directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the cases of those men who have already served one or more enlistments therein.

The text of the joint resolution discloses that its purpose is to cause a discontinuance of enlistment in the Regular Army until the number of enlisted men shall not exceed one hundred and seventy-five thousand. No provision is made in the resolution for the preservation of any proportionate strength in the combatant corps of the Army and a mere discontinuance of enlistment would, for a long time, preserve the Staff Corps disproportionately enlisted and the combatant corps insufficiently manned to maintain the instruction and training which ought to be assured if an Army of one hundred and seventy-five thousand men is to be efficient in proportion to its aggregate number.

On the 4th day of June, 1920, I signed a bill passed by the present Congress, providing for the reorganization of the Army. Because of the profoundly disturbed condition of the world and in order that full benefit might accrue to the people of the United States from the lessons of the World War as to what, under modern conditions, is required to be the nucleus of an efficient Army, the War Department had recommended an Army of approximately five hundred thousand men. The Congress, after prolonged consideration, determined to authorize, and did authorize, the reorganization of the Army on the basis of an enlisted strength of approximately two hundred and eighty thousand men, including in the organization new arms like the Air Service and the Chemical Warfare Service, the use of which were developments of the war and provision for which is a necessary addition to the pre-war strength of the Army. The act authorized for the first time in our history a tactical organization of the Army, resting upon divisions as tactical units, and required the training of the National Guard and the organized reserve in territorial areas of the United States in association with the divisions of the Regular Army. At that time, the Congress plainly regarded the provision then made as the minimum which would provide for the added arms and new duties imposed on the Army, and for that efficiency which the peace-time Army of the United States should have as the nucleus of mobilization in the event of a national emergency. I regret that I am not able to see in the condition of the world at large or in the needs of the United States any such change as would justify the restriction upon that minimum which is proposed by the House joint resolution.

WOODROW WILSON.

THE WHITE HOUSE,

5 February, 1921.

Mr. KIRBY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Lenroot	Smith, Md.
Ball	Hale	Lodge	Smoot
Borah	Harris	McKellar	Spencer
Brandegee	Heflin	Moses	Sterling
Capper	Henderson	Nelson	Sutherland
Curtis	Johnson, Calif.	Overman	Swanson
Dial	Jones, N. Mex.	Phipps	Thomas
Dillingham	Jones, Wash.	Poinexter	Townsend
Elkins	Kellogg	Pomerene	Trammell
Fernald	Kendrick	Ransdell	Wadsworth
France	Kenyon	Robinson	Walsh, Mont.
Gay	Keyes	Sheppard	Warren
Glass	Kirby	Simmons	Willis
Gooding	Knox	Smith, Ga.	Wolcott

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present. The question is, Shall the joint resolution pass, the objections of the President to the contrary notwithstanding?

Mr. THOMAS. Mr. President, before the vote is taken I should like to inquire of the chairman of the Committee on Military Affairs whether the appropriations made for the Military Establishment justify at present an enlistment in excess of 175,000?

Mr. WADSWORTH. Does the Senator mean the appropriations for the current fiscal year?

Mr. THOMAS. Yes, sir.

Mr. WADSWORTH. The appropriations for the current fiscal year were deemed to be sufficient to pay 175,000 men and not in excess of that number.

The VICE PRESIDENT. If there is to be no discussion, the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence I withhold my vote. If permitted to vote, I would vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Rhode Island [Mr. GERRY] and vote "yea."

Mr. POMERENE (when his name was called). I have temporarily a general pair with the senior Senator from Iowa [Mr. CUMMINS]. On this question I understand his vote to be the same as my own. I accordingly feel privileged to vote. I therefore vote "yea."

Mr. FERNALD (when Mr. REED's name was called). I wish to announce that the Senator from Missouri [Mr. REED] is absent on business of the Senate.

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. WALSH of Montana (when his name was called). I have a pair with the Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. WOLCOTT (when his name was called). I have a pair with the Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. That Senator is absent, and I withhold my vote.

Mr. FERNALD. I transfer my pair with the junior Senator from South Dakota [Mr. JOHNSON] to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. NEW. I desire to announce the absence of my colleague [Mr. WATSON] on account of illness. If he were present, he would vote "yea."

Mr. CURTIS. I have been requested to announce the absence of the Senator from New Mexico [Mr. FALL] on account of illness. If present, he would vote "yea."

I desire also to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Massachusetts [Mr. WALSH];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He is absent, and I therefore withhold my vote. If permitted to vote, I would vote "yea."

Mr. KNOX. Noting the absence of my pair, the Senator from Oregon [Mr. CHAMBERLAIN], I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. LA FOLLETTE. I have been requested to announce that the Senator from Nebraska [Mr. NORRIS] is absent on account of illness. If present, he would vote "yea."

Mr. SUTHERLAND. I have an opportunity to transfer my pair with the Senator from Kentucky [Mr. BECKHAM] to the Senator from Nebraska [Mr. NORRIS], which I do. I am therefore privileged to vote. I vote "yea."

The roll call resulted—yeas 67, nays 1, as follows:

YEAS—67.

Ashurst	Hale	McKellar	Smith, Ga.
Ball	Harris	McLean	Smith, Md.
Borah	Heflin	McNary	Smoot
Brandeggee	Henderson	Moses	Spencer
Capper	Hitchcock	Myers	Sterling
Curtis	Johnson, Calif.	Nelson	Sutherland
Dial	Jones, N. Mex.	New	Swanson
Dillingham	Jones, Wash.	Overman	Thomas
Elkins	Kellogg	Phelan	Townsend
Fernald	Kendrick	Phipps	Trammell
Fletcher	Kenyon	Pittman	Underwood
France	Keyes	Poinexter	Wadsworth
Gay	La Follette	Pomerene	Walsh, Mont.
Gooding	Lenroot	Ransdell	Warren
Gore	Lodge	Robinson	Willis
Gronna	McCormick	Sheppard	Wolcott
	McCumber	Simmons	

NAYS—1.

Kirby

NOT VOTING—28.

Beckham	Frelinghuysen	Newberry	Shields
Calder	Gerry	Norris	Smith, Ariz.
Chamberlain	Glass	Owen	Smith, S. C.
Culberson	Harrison	Page	Stanley
Cummins	Johnson, S. Dak.	Penrose	Walsh, Mass.
Edge	King	Reed	Watson
Fall	Knox	Sherman	Williams

The VICE PRESIDENT. On the question, Shall the joint resolution pass, the objections of the President to the contrary notwithstanding? the yeas are 67 and the nays 1. This being more than a two-thirds vote in favor of the passage of the joint resolution, it is passed.

Mr. KING subsequently said: Mr. President, I understand that during my absence temporarily from the Chamber on official business the veto by the President of the joint resolution relating to the reduction of the size of the Army was up for consideration and his position was not sustained. I rise for the purpose of announcing that if I had been present I should have voted in the affirmative upon the question, Shall the joint resolution pass, the objections of the President to the contrary notwithstanding?

MILK RIVER VALLEY GUN CLUB—VETO MESSAGE.

Mr. MYERS. Mr. President, I move that the Senate now proceed to the consideration of the presidential veto, which is on the table, of the bill (S. 793) authorizing the issuance of patent to the Milk River Valley Gun Club.

This is a small bill and will take only about 10 minutes, I think, to consider and override the veto if the Senate should so decide. I simply wish an opportunity to explain the bill to the Senate in a brief statement and then let it be voted on. I move that the veto message be laid before the Senate.

The motion was agreed to.

Mr. MYERS. I presume the question now automatically becomes, Shall the Senate pass Senate bill 793, notwithstanding the presidential veto thereof? I ask that the Secretary may read the veto message of the President.

The VICE PRESIDENT. It has been read once.

Mr. MYERS. It is very short. I ask that it may be read again for the information of the Senate.

The VICE PRESIDENT. It will be read.

The Assistant Secretary read as follows:

To the Senate:

I return herewith without my approval S. 793, an act authorizing the issuance of patent to the Milk River Valley Gun Club, which proposes to direct the Secretary of the Interior to issue patent to the Milk River Valley Gun Club for 76.69 acres of land in Montana for a game preserve.

In my opinion the legislation proposed is not in the public interest and is objectionable, because it would, by a special act of Congress, pass title to a tract of public land to a private interest for a private purpose. Moreover, I am informed that the lands in question are used by ducks and other game birds as a resting place and breeding ground, and the turning over of the land to a private gun club would be likely to destroy its use for this purpose and seriously affect the birds and waterfowl, which existing laws seek to protect.

I think, therefore, that the bill should not become a law and that the tract should be made a Federal bird reservation for the protection of the birds which now frequent the lands.

WOODROW WILSON.

THE WHITE HOUSE,

3 February, 1921.

Mr. MYERS. Mr. President, I desire to make a brief statement in connection with the bill. I introduced the bill at the request of some very reputable gentlemen of high standing, prominent citizens of the State of Montana. It affects about 76 acres of public land in northern Montana. The country there is to a considerable extent swampy, and in this immediate vicinity is covered with shallow pools of water a good part of the year. The tract involved is not a lake and it is not a pond; it is really a marsh more than anything else. It is covered with water to a shallow depth for a part of the year, and it is such land that it is not suitable for agricultural purposes. It is not fit for homesteading, and can not be cultivated. That is quite a duck-hunting community, and a number of gentlemen who are sportsmen wanted to get title to a small piece of land—one of the tracts which is covered partially with water during a good part of the year—in order that they might erect a clubhouse on it and put some boats on it and facilitate the sport of hunting ducks there in season.

So I introduced in the Senate a counterpart of this bill, which was referred to the Senate Committee on Public Lands. I first introduced the bill in the Sixty-fifth Congress. It passed the Senate of that Congress, but failed to get through the House. I introduced a similar bill, the pending bill, in the Sixty-sixth Congress. On the first occasion the bill, after having been referred to the Senate Committee on Public Lands, was by that committee referred to the Interior Department, as is usual and customary, for the advice and views of that department. The department wrote back a letter, indorsing the bill, but suggesting a few amendments. I will read the letter of the Assistant Secretary of the Interior on that subject. It is short. It is addressed to me, as chairman of the committee at that time, and is as follows:

MY DEAR SENATOR: I am in receipt of a communication from the clerk of the committee dated August 23, 1917, transmitting for report and expression of my views Senate bill No. 2460, entitled "A bill authorizing the issuance of patent to the Milk River Valley Gun Club," for certain lands therein described within the Milk River irrigation project, Montana.

I have carefully considered the bill and suggest that in line 5 after the word "Club" there be inserted, if the club is incorporated, "incorporated under the laws of the State of —."

The land if sold should be required to bear its proportionate cost of the construction of the works for the irrigation of the Milk River project, and therefore, in my judgment, there should be inserted after the word "acre," in line 9 of page 1, the following: "and the further payment of \$50 per irrigable acre for the construction of irrigation works for the Milk River irrigation project, the irrigable area being fixed at 30 acres;" and after the word "acres," the last word in the above quotation, there should be inserted the purpose for which the land is to be used—that is, if it is to be a game preserve the words "for game preserve" should be added.

In line 8, page 2, after the word "ninety-five" insert "and the patent shall also reserve to the United States right of way for canals, ditches, and telephone lines heretofore or hereafter constructed by the

authority of the United States: *Provided*, That if the land is ever used for any purpose other than that herein authorized title thereto shall revert to and revest in the United States."

I think the Government should reserve the right to construct canals, etc., across the land, as this may be necessary in connection with the irrigation of other land within the Milk River project, and I do not believe that the gun club should be allowed to use the land at any time for any purpose not covered by the bill.

If amended as suggested, I have no objection to the enactment of the bill into law.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

The suggested amendments were practically all made, and the bill was favorably reported by the committee and passed by the Senate, but failed to pass the House. It was reintroduced in the present Congress, again referred to the Public Lands Committee, and by the committee again referred to the Interior Department. The Assistant Secretary again wrote in regard to the matter, to the chairman of the committee, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 23, 1919.

HON. REED SMOOT,
*Chairman Committee on Public Lands,
United States Senate.*

MY DEAR SENATOR: I am in receipt of copy of S. 793 for report. The bill is entitled as follows: "A bill authorizing the issuance of patent to the Milk River Valley Gun Club."

The bill proposes to issue patent to the Milk River Valley Gun Club of certain lands in Montana. This bill is practically the same as S. 2460, introduced in the last Congress, and which was the subject of my report to your committee of September 27, 1917, and which was printed in Senate Report No. 346, Sixty-fifth Congress, second session, copy herewith.

The amendments suggested in my report have been made in the present draft of the bill, with the exception of the insertion of the reference to the incorporation of the club.

In its present form I see no objection to the enactment of the bill.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

Mr. McCUMBER. Mr. President—

Mr. MYERS. I yield with pleasure.

Mr. McCUMBER. May I ask the Senator merely two questions in regard to this matter?

Mr. MYERS. Certainly; I yield to the Senator for that purpose.

Mr. McCUMBER. The first question is, Is this land subject to homestead or other private entry?

Mr. MYERS. It is, I believe, subject to such entry, but it is not fit for it. The Interior Department so says.

Mr. McCUMBER. It is subject to it?

Mr. MYERS. Yes, sir.

Mr. McCUMBER. So that it may be taken as agricultural land?

Mr. MYERS. Yes; it might be, if anybody wanted it, but it never has been entered, and never will be, because it is not susceptible of cultivation.

Mr. McCUMBER. It may be so taken if anyone desires to take it at the present time?

Mr. MYERS. Yes; I presume so, if anybody wanted to homestead a marsh.

Mr. McCUMBER. Any member of the club could take it as such land, could he?

Mr. MYERS. I suppose he could if he cared to do so.

Mr. McCUMBER. Now, the second question I wish to ask the Senator is this: Is it a private concern to which this land is to be assigned?

Mr. MYERS. It is.

Mr. McCUMBER. And it could make its own rules as to the killing of the ducks on that preserve, and give privileges to its own members which would be refused to others, and could take this particular section, now public land, for the particular and private use of a private club? Is that correct?

Mr. MYERS. It could make rules not inconsistent with the game laws of the State of Montana.

Mr. McCUMBER. The members of the club could hunt during the open season on that land and they could exclude anyone else from hunting there during the open season if they saw fit?

Mr. MYERS. Yes; I suppose they could. There are thousands of other acres, however, in the vicinity just like this tract, and there are scores of other marshes just as good as this for hunting purposes, where people may go and shoot ducks if they wish to.

Mr. BORAH and Mr. LODGE rose.

Mr. MYERS. I yield first to the Senator from Idaho, who first rose.

Mr. BORAH. Is there any precedent for this line of legislation?

Mr. MYERS. There are many precedents for such sales of land. Of course, the land in this instance is to be sold to a club; but for the selling of land to municipal corporations for

parks, recreation grounds, community centers, and water supply purposes and various uses there are many precedents.

Mr. BORAH. I understand that; but are there precedents for granting land for a game preserve to private parties?

Mr. MYERS. I do not know of any precedents of that particular character. The club, I will say, will pay full value for the land. It will pay for all it will get. If there be no exact precedent, I see no harm in making one.

Mr. LODGE. The statement of the bill is that it is to be turned over to the game club for a game preserve; and the President in his veto message says:

Moreover, I am informed that the lands in question are used by ducks and other game birds as a resting place and breeding ground, and the turning over of the land to a private gun club would be likely to destroy its use for this purpose and seriously affect the birds and water fowl, which existing laws seek to protect.

That hardly conforms to the statement of the Senator from Montana that the members of the club are subject to existing laws. If it became their private property, would not the members of the club have a right to kill?

Mr. MYERS. The club could not authorize anyone to go there and kill ducks out of season or in any other way contrary to the laws of the State of Montana. It could not override the laws of the State of Montana. We have game laws in Montana.

Mr. LODGE. Do those laws cover private reserves?

Mr. MYERS. Oh, yes; they cover all property. One can not kill ducks out of a certain season anywhere in Montana.

Mr. LODGE. Then, what does the President mean by saying that if the land is turned over to a gun club it will destroy its value as a resting place for birds?

Mr. MYERS. I do not know. I think he is entirely mistaken. The result of the passage of this bill would be to protect wild fowl. As it is now, anybody can go there out of season and slaughter ducks to any extent; people can go there and kill them in violation of law; they can kill them in excess of the number allowed by law; and the only chance to punish one who does that now would be in the event some one should happen to catch him at it. The premises are now entirely unprotected from violators of the law. This bill, if enacted, would have exactly the opposite effect to that suggested by the President. It would put the premises under the care of people who are interested in preserving wild fowl and seeing that game laws are obeyed.

Mr. BORAH. Mr. President—

Mr. MYERS. I yield to the Senator.

Mr. BORAH. I really do not see the advantage of having the land in question granted to the individuals composing the gun club. The questions of preserving the game, the manner in which it shall be killed, and so forth, are subject to State law, are they not?

Mr. MYERS. Yes; they are subject to State law, but somebody has to see that laws are enforced.

Mr. BORAH. What additional benefit will they derive by reason of having the land granted to them?

Mr. MYERS. They can help to enforce the game laws of the State of Montana. As I have said, so long as this is open public land anybody can go there out of season and kill ducks contrary to law.

Mr. BORAH. No—

Mr. MYERS. I want to answer the question, and it will take me a few more sentences to answer it. As it is now, people can go to this marsh and kill wild fowl in excess of the quantity allowed by law, and may do it in season or out of season; but if the land is turned over to the gun club, composed of men who are sportsmen and who are interested in seeing the game laws of the State of Montana upheld and obeyed, they would undoubtedly put a caretaker there, and if anybody went there to kill ducks contrary to law, he would be informed against and would be arrested. So, if the land were granted to the gun club, it would help to enforce the law.

Mr. BORAH. That would be true if they killed ducks out of season anywhere in Montana.

Mr. MYERS. But it would be necessary to catch the culprit. If there were no caretaker employed to look after the property, who, I ask, would stay there at his own expense day and night to guard against anybody killing ducks unlawfully?

Mr. BORAH. I do not know how it is in Montana, but throughout the Western States there are a number of game wardens and deputy game wardens; in fact, there are perhaps entirely too many.

Mr. MYERS. But they can not be everywhere at the same time.

Mr. BORAH. No; but it seems to me, Mr. President, they can come near enough to being everywhere to protect the game in one part of the State as well as another; and it occurs to

me—and I simply suggest this for the consideration of the Senator—that the only possible advantage that may be derived from this grant is the fact that it will give those to whom the grant runs an opportunity to exclude other people from the enjoyment of a particular part of the preserve. If that is the effect of the proposed legislation, I think the President's veto is correct.

Mr. MYERS. The members of the gun club would become owners of the land; they would pay the United States Government full value for it; in addition they would pay to the Government for the benefit of the reclamation project of which the land is a part the full assessed value per acre of the construction cost of the reclamation project, even though they did not get any benefit from such payment. They are to pay \$1.25 an acre for the land; they are to pay, further, \$50 an acre for such portion as the Secretary of the Interior may find is just and proper for the construction of the reclamation project in the vicinity. They are to become the owners of the land; they are to pay taxes on it; they would doubtless erect a clubhouse, drain a portion of the land, and put boats on the pond. If they go to that expense, they are entitled, it seems to me, to have the hunting privileges of the land to themselves and such others as they may admit to it upon application; but there are hundreds, yes, I dare say, thousands of acres of other land around there that are partially covered by water, just as good as this tract for hunting purposes, which the public would be free to visit at any time for hunting purposes. This bill would not deprive anybody of the privilege of hunting in that vicinity.

Mr. TOWNSEND. Mr. President, I understand the land in question is subject to location, so that the members of the gun club could acquire it under the general laws, could they not?

Mr. MYERS. They might if they could go there and cultivate the required area and put it in crops, but I do not believe they could find the required acreage susceptible of cultivation. You can not cultivate a marsh and you have to cultivate a certain proportion of land to homestead it. It is public land, but the report of the Secretary of the Interior says it is not suitable for homestead entry. Nobody would take it for homestead purposes in a hundred years.

Mr. HENDERSON. Mr. President, may I ask a question right along the line of the question asked by the Senator from Michigan?

Mr. TOWNSEND. Just a moment. If these people bought this property under the regular homestead law, they would have a right to keep trespassers off of the land, would they not?

Mr. MYERS. Certainly, they would.

Mr. TOWNSEND. So I can not understand why there is any particular advantage in having a special act giving these people the privileges which they would already have, every one of them, if they located the land.

Mr. MYERS. It enables them to get title to the land, to put up a clubhouse, to regulate the conduct of people on the land, to put a caretaker there, and to see that the game laws of the State of Montana are enforced on that particular tract of land. This is the only way they can get title to it. It is wholly unfeasible to homestead the land. I will say more; it is impossible. I yield now to the Senator from Nevada.

Mr. HENDERSON. Did I understand the Senator to say that this land was located in a reclamation project that was under way there?

Mr. MYERS. It is.

Mr. HENDERSON. And at present is it open to entry as open public domain?

Mr. MYERS. If you could go there and enter a pond, it would be; yes. Nobody has ever wanted to do it so far, and nobody ever will.

Mr. HENDERSON. But at the present time it is in a reclamation project that has been withdrawn from entry?

Mr. MYERS. It is.

Mr. HENDERSON. So that the land is not, then, subject to entry, as the Senator from Michigan thought, because it is in a project that has been established by the Government, and the land is withdrawn from entry at the present time, as I understand.

Mr. MYERS. It is not subject to ordinary homestead entry at \$1.25 an acre. It is subject to entry at a certain prescribed price, under the homestead laws of the United States; but the party who enters it must at the same time enter into a contract to pay his proportionate share of the construction of the Milk River reclamation project. It is subject to reclamation project homestead entry.

Mr. RANDELL. Mr. President—

Mr. HENDERSON. Let me finish for a moment.

Mr. MYERS. I yield further to the Senator from Nevada; then I will yield to the Senator from Louisiana. I can only yield to one at a time.

Mr. HENDERSON. Do the officials of the Reclamation Service interfere with or object to hunting on these ponds or lakes?

Mr. MYERS. Not that I know of.

Mr. HENDERSON. They grant the privilege to anybody who wants to hunt there, do they?

Mr. MYERS. They do not grant any privilege at all. People may just go on the land and go to shooting, if they can find anything to shoot at.

Mr. HENDERSON. At all times?

Mr. MYERS. Yes.

I now yield to the Senator from Louisiana.

Mr. RANDELL. Mr. President, I was going to ask the Senator if this little piece of ground, 76 acres, is susceptible, in his judgment, of being made part of a material game preserve, a sufficient number of acres so that game could be cared for and it could be made a success as a game preserve, as, for instance, in my own State, where we have two or three hundred thousand acres turned into a game preserve, where there are a great many ducks and game of every kind and sort raised and cared for?

Mr. THOMAS. Including lame ducks?

Mr. RANDELL. Yes; including a good many lame ducks. In other words, 76 acres seems to me to be a very small area out of which to make a game preserve of any kind. If it is attached to other lands, where you could get a good, large area, possibly you could make a successful preserve out of it.

Mr. MYERS. This is all they want. This is all they are asking.

Mr. RANDELL. I am not asking that. Is there much other land around there that could be turned into a preserve, and is the community trying to make a game preserve there? Is it contemplated at all?

Mr. MYERS. No; the community is not trying to do anything of the kind. The President of the United States suggests that. He is the only one who suggests it, and he has never been on the land, while I have been in that vicinity. Nobody contemplates such a thing so far as I know.

I will ask the privilege now of completing my statement without any more interruptions. It seems that I have to argue this case to a rather incredulous jury, and you can not make an argument to a jury with constant interruptions. I will ask the privilege of completing my statement. Then, when I complete it, I shall be glad to answer all the questions that can be asked.

As I was saying, this bill passed the Senate and went to the House, was referred to the House Committee on the Public Lands, and was reported favorably by the House Committee on the Public Lands. The House committee recommends some changes in verbiage, and makes this report:

The committee understand that there is, in fact, no land in the area desired by the gun club which can be improved by irrigation, but in view of the report of the Acting Secretary of the Interior on S. 2460, introduced in the Sixty-fifth Congress, by which report it was recommended that the gun club pay for the irrigation of the irrigable area from the Milk River irrigation project, the committee has thought it wise to leave this question to be determined by the Secretary.

The committee then recommends the passage of the bill, and simply sets forth the two letters from the Assistant Secretary of the Interior to the Senate committee that I have read.

This bill provides that the gun club shall pay \$1.25 per acre for the land, and make a—

further payment of \$50 per acre for a part of the tract, to go to pay the cost of the construction of the Milk River irrigation project. The sum of \$50 per acre is to be paid for such area as may be determined by the Secretary of the Interior. It provides that said Milk River Valley Gun Club shall pay for patent and tender full payment within six months from the date of such determination.

After requiring full payment for the land and the proportionate share of the construction charges of the reclamation project, it provides further—

That if the land is ever used for any purpose other than that herein authorized, title thereto shall revert to and revert in the United States.

This bill has been twice favorably recommended by the Senate Committee on Public Lands. It has been once recommended by the House Committee on the Public Lands. It has been twice recommended by the Interior Department. The Senate has unanimously passed it, and the House has unanimously passed it. The Senate has passed it unanimously twice, and the House once, and there has never been any objection that I know of, or any solicitude about it.

Was the Senate committee wrong in recommending it? Was the House committee wrong in recommending it? Was the Senate wrong in passing it? Was the House wrong in passing it? Was the Interior Department wrong in twice saying that it had no objection to the bill, that no objection could be found to it, and is the President right, after all of that, in finding some objection to it?

I do not know from what source comes the President's advice. He has been advised, of course, by some one. I think the President has been advised by somebody who is not acquainted with the premises. If the President's advice comes from anybody in the Interior Department, then the Interior Department has completely reversed its attitude in regard to this bill, because it has twice said that it had no objection to it.

I have great respect, of course, for the President of the United States and for his opinion about anything. I respect his motives in everything that he says or does; but I believe I know more about this particular matter than the President of the United States does. I believe I am more familiar with it; and the sum and substance of it is simply this:

Here is a tract of about 76 acres of land, partially covered with water, that technically is subject to homestead entry under the laws pertaining to the Milk River reclamation project, so that a person might enter it under the homestead laws, but upon condition that he pay so much per acre and pay his proportionate share of the construction cost of that project; but nobody has ever entered it, and nobody ever will do so. The Interior Department says it is not fit for entry; that it is not agricultural in its nature; that it is not susceptible of cultivation; and there are thousands of other acres around there, more or less covered with water, that the public will always have access to for hunting purposes. Ducks can and do go to those other places just as well as to this place. If this particular tract were the only place in that community where ducks ever flocked, then I would say that it should not be turned over to this club; that it should not be given a monopoly of the duck hunting there; but there are thousands of acres in that section covered by water just as much as this land, where ducks can and do flock just as they do on this land, and the public will always have free and ready access to the thousands of acres of other land, because nobody is going to enter any of them at public entry.

The gentlemen who have gotten this up are sportsmen who are interested in the preservation of game and the enforcement of the game laws of Montana. They want to get title to this land, and they are to pay the full value of the land, the full proportionate share of reclamation construction costs, and they will get title and pay taxes on it as long as they use it for club purposes; and whenever they cease using it for club purposes they are to lose their money and it is to go back to the United States Government. If this bill becomes a law they will undoubtedly erect a clubhouse at this particular spot, put some boats there, and put a caretaker in charge; and, as far as this particular spot is concerned, the game laws of the State of Montana will be enforced there, because you can depend upon it that there will be a caretaker there who will make it his business to see that nobody shoots ducks out of season, that nobody slaughters ducks ruthlessly or in excess of the number allowed by law, and that the laws are obeyed absolutely, and that if anybody tries to violate the law on these premises or in that particular section of the country he will be arrested and prosecuted, whereas at present there is nobody in charge to see to it. Anybody can go there now at any time he wants to and kill ducks out of season and in excess of the number allowed by law, and the only way in which anyone could be punished for it would be if somebody by chance should learn of it and file an information against the violator; so that this bill, if enacted, would aid in the enforcement of the law and would aid in the preservation of game and fowl.

As far as being a breeding place for wild fowl is concerned, there are thousands of other acres around there that are also breeding places. Furthermore, the gentlemen who are interested in this club are not the sort of men to go there and kill ducks during the breeding season, nor to allow anybody else to do it if they know it. They are true sportsmen, interested in the propagation of fowl, and for a breeding place this spot would be much better protected, under this bill, than it is now; so I think the President has simply been misinformed. I do not think he understands the conditions. I do not think this bill, if enacted, will do the public or anybody else any harm, and it will go a long way toward preserving the wild fowl of that section and enforcing the game laws of the State of Montana.

Mr. WILLIAMS and Mr. FLETCHER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Montana yield, and if so, to whom?

Mr. MYERS. I yield to the Senator from Mississippi. He arose first.

Mr. WILLIAMS. Mr. President, of course, the game laws of this country, like those of Great Britain, are founded upon the idea of the preservation of game. I should like to ask the Senator this question, because I know very little about the matter: Will the enactment of this bill result in an exclusive privilege

to any one company or corporation or set of people for hunting over a given area?

Mr. MYERS. It will result in the exclusive privilege to the members of this club and such other persons as they may see fit to grant a permit for the use of 76 acres out of thousands of other acres of the same kind of land in that section of the country.

Mr. WILLIAMS. I did not ask how many acres, or out of how many.

Mr. MYERS. I simply threw in that gratuitous information. I am answering liberally.

Mr. WILLIAMS. I asked whether the enactment of this bill would result in an exclusive privilege to a company or corporation to hunt game over a certain area?

Mr. MYERS. Yes; a certain area—76 acres—because they would own the tract. It would be theirs.

Mr. WILLIAMS. Whatever it is, if it is 2 acres only.

Mr. MYERS. When there are thousands of other like acres in the same vicinity, it could not result in a monopoly, because if any one of these men entered that land by homestead entry, and acquired title to it, it would result in the exclusive right to him and his family and friends to hunt on those premises.

Mr. WILLIAMS. Absolutely; and it would be perfectly fair to open it for homesteading, or to sell it at an upset price, or to sell it to the highest bidder; but for the Government to grant the exclusive privilege of hunting over a given area is absolutely anti-American.

Mr. MYERS. It is not an exclusive privilege of hunting. It is selling the land at full value to these people. They are to acquire title to it and become the owners of it.

Mr. WILLIAMS. Yes; but the contract of sale contains an exclusive privilege of hunting later on over a certain area of land.

Mr. MYERS. No; the contract would not contain that provision. The law would give it, just as the law would give it to an individual who entered it.

Mr. THOMAS. It is exclusive in the sense that any patent from any individual or number of individuals is exclusive, and no more.

Mr. MYERS. Just the same; no more nor less.

Mr. THOMAS. Does not the grant of this land bring it within the jurisdiction of the State and subject it to State taxation?

Mr. MYERS. It would, undoubtedly, of course.

Mr. THOMAS. And in its present condition it is not so, is it?

Mr. MYERS. It pays no taxes and is not valuable to anybody for anything. So that I submit on this statement of the matter the bill should be passed notwithstanding the veto. The Senate has twice passed this identical bill, upon the recommendation of the Interior Department, which is supposed to and does rigidly safeguard the public lands of the country, and I can see no reason for Senators to become exercised about it now.

The VICE PRESIDENT. The question is, Shall the bill pass, the objection of the President notwithstanding? The roll will be called.

The Assistant Secretary proceeded to call the roll.

Mr. GLASS (when his name was called). I transfer my general pair with the senior Senator from Illinois [Mr. SHERMAN] to the Senator from Kentucky [Mr. STANLEY] and vote "nay."

Mr. KNOX (when his name was called). Repeating the announcement of my pair that I made on the last vote, I withhold my vote.

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I do not know how he would vote, and I withhold my vote. If I were at liberty to vote, I would vote "nay."

Mr. STERLING (when his name was called). Making the same transfer of my pair as on the preceding vote, I vote "nay."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. I transfer that pair to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence I withhold my vote. If permitted to vote, I would vote "yea."

Mr. HENDERSON. Has the junior Senator from Illinois [Mr. McCORMICK] voted?

The VICE PRESIDENT. He has not.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois, and in his absence I transfer my pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer my pair to the junior Senator from Maryland [Mr. FRANCE] and vote "nay."

Mr. DILLINGHAM (after having voted in the negative). May I inquire whether the Senator from Maryland [Mr. SMITH] has voted.

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I withdraw my vote, as I have a general pair with that Senator.

Mr. HARRISON. I have been requested to announce the absence of the Senator from Oregon [Mr. CHAMBERLAIN] on account of illness.

Mr. CURTIS. I desire to announce that the Senator from New York [Mr. CALDER] is paired with the Senator from Massachusetts [Mr. WALSH] and the Senator from New Jersey [Mr. EDGE] is paired with the Senator from Oklahoma [Mr. OWEN].

The roll call resulted—yeas 9, nays 47, as follows:

YEAS—9.

Dial	Nelson	Poinexter	Spencer
Jones, Wash.	Phipps	Smith, Ga.	Thomas
Myers			

NAYS—47.

Brandegge	Hitchcock	McCumber	Smoot
Capper	Jones, N. Mex.	McKellar	Sterling
Coit	Kellogg	McNary	Sutherland
Curtis	Kendrick	Moses	Swanson
Elkins	Kenyon	New	Townsend
Hay	Keyes	Overman	Trammell
Glass	Kling	Phelan	Wadsworth
Gooding	Kirby	Pittman	Walsh, Mont.
Gronna	La Follette	Ransdell	Williams
Hale	Lenroot	Robinson	Willis
Harris	Lodge	Sheppard	Wolcott
Henderson	McCormick	Simmons	

NOT VOTING—40.

Ashurst	Fall	Johnson, S. Dak.	Sherman
Ball	Fernald	Knox	Shields
Beckham	Fletcher	McLean	Smith, Ariz.
Borah	France	Newberry	Smith, Md.
Calder	Frelinghuysen	Norris	Smith, S. C.
Chamberlain	Gerry	Owen	Stanley
Culberson	Gore	Page	Underwood
Cummins	Harrison	Penrose	Walsh, Mass.
Dillingham	Heflin	Pomerene	Warren
Edge	Johnson, Calif.	Reed	Watson

The VICE PRESIDENT. On the question, Shall the bill pass, the objections of the President to the contrary notwithstanding? The yeas are 9 and the nays are 47.

Mr. MYERS. Mr. President, I suggest that hereafter I think the Senate would save time if it would consult the President before passing bills.

SUNDRY CIVIL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The ASSISTANT SECRETARY. In the amendment of the committee, on page 24, line 10, at the end of the amendment to the amendment already agreed to, insert the following proviso:

Provided, That authority is hereby given to enter into a contract or contracts for the purposes authorized herein, in addition to the appropriations contained therein, amounting in the aggregate to \$12,500,000.

Mr. JONES of Washington. I am afraid that will not accomplish what the Senator from Arkansas desires. The words "in the aggregate," I am afraid, would include the other amounts appropriated.

Mr. ROBINSON. Confusion has arisen as to the purpose of the amendment, and I will restate the amendment. I propose to amend by adding the following:

And in addition to the sums herein appropriated the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to enter into contracts for the purpose of providing hospital facilities in amount not exceeding \$12,500,000.

I will state the purpose of the amendment, a number of Senators having come in since the question was first presented.

As we have now framed it, the amendment carries \$18,600,000 for the construction of hospitals and for the extension and enlargement of hospitals. My amendment proposes to authorize contracts in addition to that sum to an amount not to exceed \$12,500,000 to meet the urgent and immediate demands of the service.

The Secretary of the Treasury estimated the amount required at \$35,000,000, and the total amount that will be authorized, if

my amendment prevails, will be nearly \$4,000,000 less than the amount estimated for by the Secretary of the Treasury.

Upon the amendment I demand the yeas and nays.

Mr. WARREN. Mr. President, I have only a word to say. We have provided here for the appropriation of \$18,600,000, and we shall be only too ready to appropriate that much more, probably. But, in my judgment, we ought not at this time to authorize the making of contracts at the prices we have been paying on contracts lately made with the Government, and right in the face of the fact that while the bottom has been reached in raw materials of nearly all kinds, and we are back to antebellum times, the drop has not yet reached the consumers, it has not yet fully reached "the high cost of living" or labor, and it has not yet reached prices of building and other material. All of that is bound to occur in the next two or three months, and there is plenty of time to take care of all of that as needed, without paying the extra millions of dollars we shall have to pay if they enter into contracts at this time. I am ready to vote.

Mr. KENYON. Mr. President, if I felt that this provision would help the soldiers one particle I would be willing to vote for it; but I do not believe it will. I believe it will be injurious to the soldiers, because, as the Senator from Wisconsin has suggested, it will mean a 2-year program. It will not make for present speedy efficiency in helping the soldiers.

Secondly, the contracts, as has been suggested by the Senator from Wyoming, will be at a much higher rate now than they could be made for at a later date. It will cost the Government more money than it need cost them to efficiently care for the soldiers. I do not believe that the soldiers themselves would ask this of the Government. Consequently I propose to cast my vote against the proposition.

Mr. GLASS. Mr. President, I desire to call the attention of the Senator from Iowa to the fact that the Senate itself last week or the week before declined to authorize contracts for extensions of public school buildings in the District of Columbia, when it was shown that thousands of children are excluded from the schools because of the present condition of building operations, the high cost of materials, and the high cost of labor. Like the Senator from Iowa, I should very gladly vote for the increased appropriation, or even for the full amount suggested by the Secretary of the Treasury, if I thought it would bring relief to the ex-soldiers. In my judgment it will not bring relief to the ex-soldiers, but will entail very large additional cost to the Government.

Mr. ROBINSON. Mr. President, the undisputed facts are that 10,000 additional beds are required to meet the immediate demands of the service. Throughout the United States there are thousands of soldiers who are unable to secure hospital facilities. There are hundreds confined in insane asylums and in jails. If we now merely authorize the construction which will be accomplished during the coming fiscal year and limit the authority of the Secretary of the Treasury to the making of contracts for that construction, at the end of another year we will be exactly where we are now, but if we permit him during the coming fiscal year to make additional contracts we will shorten the time required to catch up with his hospitalization work.

Mr. GLASS. Mr. President—

Mr. ROBINSON. Just a moment, please. I realize the importance of economizing in the appropriations made by Congress, but the sundry civil appropriation bill carries appropriations for hundreds of millions of dollars. It carries appropriations that might very well be deferred in view of the condition of the Public Treasury. It carries additional authorization.

The Secretary of the Treasury, who is intrusted with the responsibility of supervising the work, and the Surgeon General of the Public Health Service both declare that in order that they may speedily make provision necessary for men requiring hospital treatment they need more than the sum carried in the amendment now pending and that they require \$35,000,000. We can not delay hospital construction until the price of material has gone down to an extent to satisfy Senators. We must provide the necessary hospital facilities for the men as speedily as possible. There is nothing incumbent upon the Secretary of the Treasury to let the contracts immediately. He is merely authorized in the bill to make, during the coming fiscal year, additional contracts for hospitals in addition to those contemplated by appropriations carried in the act. He is vested with discretion in the matter.

Mr. DIAL. Mr. President—

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Arkansas yield? If so, to whom?

Mr. ROBINSON. I must yield to the Senator from Virginia, who first addressed me.

Mr. GLASS. I merely desire to express my amazement at the statement made by the Senator from Arkansas that there are thousands of ex-soldiers neglected and in jails and in insane asylums. I recall the fact that I personally catechized the Surgeon General of the Public Health Service when he was before our committee, and he told me explicitly that he knew of no ex-soldier who was being subjected to neglect. He said the hospital facilities were not as ample and not of that nature that the Public Health Service would desire, but he explicitly stated that he knew of no single ex-soldier who was being subjected to neglect.

Mr. ROBINSON. Notwithstanding the fact that the knowledge may not have come to the Surgeon General of the Public Health Service, I assert, after an extended investigation of the matter, that there are thousands of soldiers scattered throughout the United States who need and require hospital facilities.

Just a few days ago I called the attention of the Surgeon General of the Public Health Service to the fact that there are 19 ex-service men confined in the asylum for the insane at Little Rock, Ark. He said that he did not know of their existence, but he immediately issued an order for their transfer to some other place. There has been printed in the Record at the instance of my colleague [Mr. KERRY] a joint resolution passed by the Legislature of the State of Arkansas making the declaration that in that State there are thousands of men being neglected for want of hospital service. That is true, as indicated by the statement of the Senator from New York [Mr. WADSWORTH], in that State. It is true, if the Senators will investigate, as to every State in the Union. There are thousands of them. The number it is expected will increase to approximately 30,000 within the next few years. Then, with men who bared themselves to the dangers of death on the battle field and who experienced injuries and sickness in the camps in the military service of the United States, why should we practice economy and deny to them speedy provision, in order that they may be hospitalized?

Mr. WARREN. Mr. President—

Mr. ROBINSON. I should yield first to the Senator from South Carolina.

Mr. DIAL. I desire to ask the Senator if it is not also true that building material, in a great portion of the country, and labor as well, have greatly declined, although not perhaps to the point where the cost is equal to the prewar prices?

Mr. ROBINSON. That is true. It is also true that material and labor have already declined and are still declining in many sections of the country, but we can not wait with this work; we can not leave these men to suffer and to die until building material reaches the lowest possible price.

Mr. ASHURST. No more than Gen. Dawes, who gave such manly testimony the other day, would have waited until the price of ether went down before they etherized the wounded soldiers.

Mr. ROBINSON. I now yield to the Senator from Wyoming.

Mr. WARREN. The Senator certainly has different information from that which I have. I agree with the Senator from Virginia [Mr. GLASS] that we are not in a close position as to beds to-day. If there are any soldiers uncared for to-day there are beds for their accommodation. I have before me an instance—and this is only one of many instances—a letter just received from the president of a soldiers' home. We have been providing certain facilities in soldiers' homes by moving the old soldiers from one home to another. I have evidence from the Surgeon General that it has been abundantly satisfactory and he is satisfied with the facilities and expects to use them still further, and we hope to provide further room. The letter states:

Part of the conversion has been completed. We are ready to receive patients and have been since the latter part of December.

That is two months ago. I have a letter received from another source, stating that there are 458 beds available for patients and only 191 occupied, with patients coming in in a small but steady stream; 52 admitted since January 1; and that they have notice of 15 or 20 more to arrive about February 15.

There are other places similarly situated. It is probably true, as the Senator says and as the Secretary of the Treasury says, that when we meet the peak some years hence, I believe eight years hence, we may need great quantities of beds, I suppose. We have been furnishing beds, not all of them in newly constructed, immense buildings, to accommodate all of the men. It is true that there may be a man suffering in Arkansas or one in Wyoming or at some other place who has not been reached, but that is not because we have not provided money enough, for we have done that.

Another thing. There is no man that I know of on the Appropriations Committee who does not stand ready to appropriate at the proper time not only the amount mentioned, but far greater amounts. But at this particular time, while matters are proceeding and while we are voting \$18,600,000 to be made available until expended, why undertake to tie us to something that we can attend to three months or six months from now or at some other time?

Mr. ROBINSON. For the simple reason that the \$18,600,000 is scarcely half adequate to meet the urgent requirements of the service and not the number that is mentioned in the letter of the Surgeon General of the Public Health Service:

In round numbers, 10,000 beds are urgently needed, of which the beds for tuberculous and neuro-psychiatric patients are of the greatest urgency. These additional beds will serve only to meet the present needs of the increase expected within the present fiscal year.

Ten thousand additional beds will be required to meet the needs of the service during the present fiscal year, and yet the appropriation carried in the committee amendment is scarcely half adequate to meet those requirements.

Mr. WARREN and Mr. JONES of New Mexico addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, to whom?

Mr. ROBINSON. I yield first to the Senator from Wyoming.

Mr. WARREN. There are three places which we provide by name for those who are mentally deranged, and they are the objects of chief need, really.

Mr. ROBINSON. I now yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I agree with the very earnest spirit which is manifested by the Senator from Arkansas. I think we ought to provide every facility necessary to take care in comfort of the disabled soldiers. But there are one or two things to which I would like to call the attention of the Senator from Arkansas.

The appropriation for the additional hospital facilities provided in the first paragraph of the bill has now been increased to \$6,100,000. In talking with the Surgeon General and with his chief assistant on Saturday it was estimated that additional beds could be provided at some of those places, where there are extensions to be made, at a cost not exceeding \$1,000 per bed. The original idea of the Surgeon General, as I understood it, or of some one connected with the War Risk Insurance Bureau, was that there should be new hospitals erected, and it was estimated that the expense per bed would be about \$3,000. At that figure, to take care of 10,000 additional beds, \$30,000,000 additional would be required; but here is an appropriation of over \$6,000,000 to construct extensions to existing hospitals, which can be constructed at a very much less cost than \$3,000 per bed.

The administration buildings are already erected and the water supplies have already been provided. So it will be much less expensive to provide for additional beds at those places where there are existing hospitals. If the estimate of the Surgeon General that it will cost only a thousand dollars a bed is approximately correct, then we are providing in this bill under the first paragraph for about 6,000 additional beds. Then the \$12,500,000 under the second clause for new construction would provide additional accommodations for between four and five thousand more. So it seems to me that we are making ample provision here for the present necessities of the situation.

There is another consideration I should like to call to the attention of the Senator from Arkansas. I may be in error, but if I understand the situation the additional \$12,500,000 proposed by his amendment will be added to the \$12,500,000 already provided in the bill for new construction. If that be so, I think that is wrong, for after we make extensions to the existing hospitals the possibilities are that we shall find that we can make further extensions and provide additional beds at a much less cost than it is possible to provide them through new construction alone. Personally, I have had some hesitation about voting for the construction of the new hospitals outright. We have a number of hospitals over the country now, and I know we can extend them, at least some of them, almost indefinitely. I believe that by adding to existing facilities we can provide additional beds as they become necessary at a very much less cost than by spending money now in totally new construction.

Mr. ROBINSON. Mr. President, the undisputed record shows that patients are increasing at the rate of 1,000 per month. If that rate of increase approximately continues, by the end of the coming fiscal year we shall have 10,000 more sick and disabled soldiers for whom to provide hospitals that are not taken into account by the committee amendment. So the committee amend-

ment, even in the view placed upon it by the Senator from New Mexico, is totally inadequate to meet the requirements of the service.

Mr. HARRIS. Mr. President—

Mr. ROBINSON. I yield to the Senator from Georgia.

Mr. HARRIS. The Secretary of the Treasury will not have to expend the money unless the Surgeon General tells him that it is needed for hospitals.

I wish to say further, by way of reply to a statement made a while ago by the Senator from Virginia, that the Surgeon General's statement before the committee was that there are a number of soldiers now in private hospitals who are not receiving such treatment and care as the Surgeon General would like to accord them.

Mr. LENROOT. Will the Senator from Arkansas yield to me?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. ROBINSON. I yield to the Senator from Wisconsin.

Mr. LENROOT. I understand the Senator's purpose in offering his amendment is to enable the Secretary of the Treasury to make contracts for hospitals to be constructed during the fiscal year following the ensuing one?

Mr. ROBINSON. I do not object to his proceeding with the construction of them. I should like for him to proceed with the construction of them, if he can do so.

Mr. LENROOT. Very well. The Senator does not think that the Secretary can make a contract without first securing a site, does he?

Mr. ROBINSON. No.

Mr. LENROOT. Nor without having plans and specifications for the new hospitals?

Mr. ROBINSON. Certainly not.

Mr. LENROOT. Where, under the Senator's theory, is the money to come from for the sites and specifications and plans for the new hospitals except out of the \$18,600,000 now appropriated for use this year?

Mr. ROBINSON. Why, Mr. President, there is a general provision in the amendment authorizing the acquisition of new sites, either by purchase, lease, or gift. The Secretary will make a contract for one of those sites, proceed with the preparation of his plans and specifications, and then come to Congress and ask for the necessary appropriation in conformity with this authorization. We would save six months in that way.

Mr. LENROOT. How is the Secretary going to get his plans and specifications without paying for them?

Mr. ROBINSON. If he has the authorization, he can make a contract for them. That is the value of the authorization.

Mr. LENROOT. Oh, but he can not make a contract for the building unless the plans and specifications are completed.

Mr. ROBINSON. Certainly not, but he can contract for the plans and specifications, just as he can contract for the site and just as he can contract for the buildings. There is no trouble about that. The needs of the service will not be met by the appropriation contained in the committee amendment. It is doubtful to my mind whether the amendment which I have offered is adequate to meet the requirements of the service, because of the constantly increasing number of sick and disabled soldiers who require hospitalization.

It is no reflection upon the Surgeon General of the Public Health Service to say that he does not know of soldiers who are being neglected, but I say that there are hundreds, aye, thousands of them who have not received hospital treatment, but who will need hospital treatment, and, as suggested by the Senator from Georgia, this Government can not be hurt by anticipating the requirements of the service and by speeding up in its hospitalization program. I ask for the yeas and nays upon the amendment, Mr. President.

Mr. LENROOT. Mr. President, the Senator from Arkansas must not try to place those of us who are opposed to his amendment in the position of opposing all that can be done for the disabled soldiers. Although I am sure the Senator does not so intend, the fact is that if his amendment shall be adopted, there will be less money and less hospital facilities afforded the soldier in the next fiscal year than if the amendment stands as it has now been adopted by the Senate. His amendment will result necessarily in taking a part of the \$18,600,000 that will be utilized for the completion of hospital facilities for the next fiscal year and putting them over into the fiscal year following, where the soldiers will get no benefit from them until the end of the fiscal year.

Mr. SMOOT. Mr. President, I have before me the estimate of the Treasury Department as to the amount of money which is required for this purpose. We have heard that the estimate

was for \$35,000,000. The estimate is for \$35,000,000, but of that amount \$5,000,000 is for furniture and equipment. No one has suggested, neither the Secretary of the Treasury nor the Surgeon General has suggested, at any time that there be appropriated more than \$30,000,000.

Do not let us run off and lose our heads. The amendment proposed by the Senator from Arkansas provides more than the \$30,000,000. I think, in view of what was told the committee, that \$12,500,000 could be profitably expended during the coming fiscal year. What have we added to it? We have added \$6,100,000 more to that. I think it is unwise, as I have said, to authorize the expenditure of \$12,500,000 more to be used in entering into contracts; for, as previously stated, I have no doubt that building costs, including material and labor, within the next 12 months will be 25 per cent lower than they are to-day. Why not save the 25 per cent, when to make the additional appropriation now will not benefit a single solitary soldier?

I know we do not take very much notice of money; I know that \$4,000,000 is not thought very much of; but, Senators, the time is now here when we have got to notice \$4,000,000 or \$5,000,000 or even \$1,000,000. If the returns showing the business profits for the year 1920, upon which we have made our estimates, continue to show decreases in the same proportion as those which have already come in, we are going to fall short over \$500,000,000 in the estimated revenue of the Government for the coming year.

If the money could be profitably expended, I should vote for a larger appropriation, but I say to Senators now that all the information I can get is to the effect that every soldier who has made application has been taken care of. Mind you, men detailed from the Public Health Service are traveling all through the United States; they are in every State in this Union looking out for the ex-soldiers and calling their attention to the benefits they may receive.

I do not say that every soldier who is to-day in a hospital is being treated as I should like to see him treated or as the Government of the United States ought to treat him; but I do say that, if reports as presented by officials of the Government can be relied upon, the soldiers are taken care of. I have a letter here from Gen. George W. Wood calling attention to the fact that at the Marion Home there is now room for soldiers suffering from mental disorders to the extent of 458 beds.

I think that we ought to look at this matter in a reasonable light and do what we think is best both for the Government and the soldiers. That is all that I ask. I know, Mr. President, that \$18,600,000 is all that can profitably be expended within the time limit of this appropriation. I wish that amount to be made immediately available, and I understand the Senator from Wyoming has already suggested such an amendment.

Mr. WARREN. I have, and the amendment has been agreed to.

Mr. SMOOT. The Senator from Wyoming informs me that such an amendment has been agreed to.

I say again, Mr. President, do not let us lose our heads over this matter. Let us vote for the \$18,600,000; let the proper authorities get to work, enter into contracts, proceed with the program, and complete that program for this year; and when it shall be completed, I want now in advance to say that I will thank the officials of the Treasury Department for having accomplished it.

Mr. GLASS. Mr. President, I wish to say that there is no member of the committee who does not sympathize with the spirit of the position taken by the Senator from Arkansas [Mr. ROBINSON]; nor did the committee primarily have in view the mere question of economy. It had before it the question of an orderly method of meeting the present emergency, and it acted upon the testimony of the Public Health Service—of the Surgeon General himself and his coadjutors.

Mr. ROBINSON. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. GLASS. I yield.

Mr. ROBINSON. Does the Senator from Virginia state that the Surgeon General regards the provision in the committee amendment as adequate to meet the requirements of the present emergency?

Mr. GLASS. The immediate requirements; I so understand.

Mr. ROBINSON. I wish to state that I have offered the amendment after a prolonged conference with the Surgeon General and others in his office, who represent to me that some such provision as this is absolutely necessary.

Mr. GLASS. Mr. President, I wish to repeat what I stated a while ago, that when the Surgeon General appeared before

the Committee on Appropriations I personally asked him if he knew of any cases of neglect, and his response to me was that he did not know of a single case of neglect; that they were taking care, as best they could, of every case brought to their attention, and he left me with the very distinct impression that this program of the committee would meet the emergency in an orderly way.

I stand prepared to double the appropriation proposed by the committee if the funds may immediately be used to good purpose; but the investigation of the Appropriations Committee, after having before it the Surgeon General and his assistants, convinced the committee that the amount embodied in the bill now under consideration is ample for all requirements for the ensuing year.

I am not a little amazed at the statement of the Senator from Arkansas that there are thousands upon thousands of soldiers who are being neglected and who are crowding the insane asylums and the jails of the country. That assertion is absolutely contrary to the statement made to the committee by the Surgeon General himself.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. GLASS. I do.

Mr. ROBINSON. I will read, with the Senator's permission, a part of a resolution adopted by the American Legion at Helena, Ark. The same matter was brought to the attention of the general assembly of that State, which adopted the concurrent resolution to which I have already referred:

Whereas it was further found that there are 18 insane ex-soldiers now confined in the State Hospital for Nervous Diseases at Little Rock, Ark., and on account of the overcrowded condition of the institution these soldiers are forced to associate and be confined with the criminal and pauper insane of the State.

This is no fault of the officials of the institution, as they are prohibited by law from accepting additional compensation from the Federal Government other than a nominal charge.

Mr. GLASS. Mr. President, did I not understand the Senator from Arkansas to say a while ago that the instant this case was brought to the attention of the Surgeon General provision was made by the Public Health Service for these unfortunate people, and that they were transferred elsewhere?

Mr. ROBINSON. Yes; but it discloses the fact that the Surgeon General does not know of all the cases of soldiers who are being neglected. There is an instance of 18 in one body who were confined among criminals by reason of the want of adequate hospital facilities that had not been brought to his attention for months after they had first been confined there; and when they were brought to his attention he did act promptly. I am not complaining, as I said before, of the Surgeon General; and in addition to those who are confined in private institutions and in State institutions and in jails, there are thousands of others who have not yet made application. Many of them are not in a condition to make application. Many of them do not know what process is necessary to get their claims for hospital treatment considered; and the Surgeon General recognizes that the increase is at the rate of 1,000 per month, which shows that all of those entitled to hospitalization have not brought their claims to his attention. It is not a case of fault upon his part. The difficulty inheres in the situation itself.

Mr. GLASS. Mr. President, the startling dereliction indicated by the Senator from Arkansas, if it actually exists, is with the State authorities and not with the Public Health Service. The committee must rely upon the authentic statements of the Public Health Service in its deliberations and in its determination of these matters. It can not depend upon the unsupported supposition that there are thousands upon thousands of people being neglected. The attention of the Public Health Service certainly has never been drawn to such neglect, for the Surgeon General himself states that he knows of no cases of neglect. If we had these hospitals already erected, they would be useless if ex-service men are not making application for treatment.

Mr. ROBINSON. But they are.

Mr. GLASS. It is inconceivable to me that these ex-service men are being thus shamelessly neglected throughout the country, and yet, according to the Surgeon General, are not making application for treatment.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Virginia further yield to the Senator from Arkansas?

Mr. GLASS. I do.

Mr. ROBINSON. With the Senator's permission, they are making application at the rate of 1,000 per month. The Legislature of the State of Arkansas a few days ago adopted a con-

current resolution containing, among other declarations, this statement:

Whereas it is a fact that thousands of Arkansas's unfortunate disabled soldiers, sailors, and marines, to whom we owe everything, are without adequate hospitalization, and it is an imperative necessity to provide immediate adequate care for them; therefore—

And so forth. There is a declaration.

Mr. GLASS. Mr. President, right there arises a question of fact as to whether there are thousands of ex-service men in the State of Arkansas who are being neglected. I should be distressed to death to believe that there are either thousands or hundreds of ex-service men in the State of Virginia who are being subjected to criminal neglect and being put in the jails and insane asylums. I should be ashamed of my State if I could think that there is any such frightful condition there. And I prefer to think that the situation in Arkansas is not accurately described by the legislature of the State. I am more disposed to rely upon the explicit statement of the Surgeon General of the Public Health Service, who has in every State and in nearly every county of every State a responsible representative charged with these matters. We most assuredly can not rely on mere suppositions or on resolutions passed by a legislature.

If the Legislature of Virginia were to make to me the official declaration that there are thousands of ex-service men in that State who risked their lives for their country and who now are wandering about, or incarcerated in jails, or brought into contact with the criminal insane, and would not itself make instant provision for such a horrible situation, I should have little respect for the General Assembly of Virginia. State legislatures should not wait upon a derelict and dilatory Public Health Service at Washington if any such state of affairs exists.

To repeat what seems to me conclusive of the question here, the committee was obliged to rely upon the Surgeon General of the Public Health Service for its information; and I very sincerely trust that that public official is more accurate in his estimate of the situation than the Legislature of the State of Arkansas.

Mr. PITTMAN. Mr. President, I think there is a question of accuracy involved. The Senator from Virginia [Mr. GLASS] says that he is acting upon the advice of the Surgeon General. Taking his own statement as to what the Surgeon General said, all that I got out of it is that he said he knew of no soldiers that are not being taken care of. That is a statement of fact. On the other hand, it is evident that there are some that are not being taken care of.

Mr. GLASS. Is it in evidence?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Virginia?

Mr. PITTMAN. Just a second. The further statement that the Senator from Virginia made as showing that he was relying on the Surgeon General's report was that he gained the impression from everything the Surgeon General said that this was sufficient. Now, mind you, the Senator did not state the language of the Surgeon General in that particular, while he did state the language in the other particular.

Mr. GLASS rose.

Mr. PITTMAN. I will ask the Senator to wait a second. In answer to that, the Senator from Arkansas [Mr. ROBINSON] states to-day on this floor that he has conversed with the Surgeon General, and that this amendment is offered on the advice of the Surgeon General, and that the Surgeon General says that this character of amendment is absolutely essential. Unless I am unwilling to believe the correctness of the Senator's statement, therefore, I have to take the stand that the Senator from Arkansas is acting upon the advice of the Surgeon General rather than the Senator from Virginia and the Senator from Utah.

Mr. WARREN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Wyoming?

Mr. PITTMAN. Not yet. I shall be through in a minute, and then I shall take my seat.

I want to say that the conclusions to be derived from a certain statement of evidence which sometimes depends upon suppositions as to the meaning of the officer depends upon the frame of mind that the judge is in. A person's conclusions are very frequently guided by his desires. The main desire so far appearing in this matter, from the statements of those who oppose this provision, is economy. I agree with the Senator from Arkansas that this is no case for economy.

Mr. GLASS. Mr. President, I very distinctly disclaim for myself that that was my attitude, and the imputation of the Senator from Nevada [Mr. PITTMAN] to the effect that members

of the committee do not desire to make ample provision for ex-service men is utterly gratuitous as far as I am concerned. I think the spirit of committee members in this matter is just as patriotic and characterized by quite as great solicitude as that of other Senators who properly have the interests of ex-service men at heart. Hence I resent the suggestion of the Senator from Nevada that members of the Appropriations Committee do not desire to make ample provision for these men. The committee did not desire to do anything wasteful in providing for them. Merely to make an impression of anxious concern, the committee was not disposed to authorize construction that may not immediately be put into execution.

Speaking for myself again, I simply desired to do in an orderly way that which careful inquiry seemed certainly to require. The committee did not think it desirable to get into a fever of excitement or vehemently to protest solicitude for the men who fought for their country and deserve the tenderest consideration of the Congress. We assumed that everybody would cheerfully impute to us at least a decent regard for public opinion.

I did not mean to create the impression that the Surgeon General said the appropriation in this bill would complete the program for hospitalization, but only that he seemed to think we were reasonably well meeting the exigency for the ensuing year.

Mr. WARREN. Mr. President, will the Senator allow me to interrupt him a moment?

Mr. GLASS. I will.

Mr. WARREN. I desire to say that the Senator is absolutely right as to the statements of the Surgeon General when he appeared before the committee; and not only that, but in talking with him I ascertained that he had not receded from his position that for some years before we reach the peak we will need these larger amounts. He has said, however, that a smaller amount by \$1,100,000 than the bill now contains would cover every necessity for the year and run them a long way into the next year; but I assume that the Secretary of the Treasury or Surgeon General, or any other officer of the departments who is seeking more money than he thinks the Congress will allow, if the question were put to him, "Would you not rather have us appropriate more?" might say "Yes," but he certainly gave us every assurance that he was satisfied with what we proposed to do in this bill before these additions were made.

Mr. GLASS. Not only that, but the Senator from Wisconsin [Mr. LENROOT] clearly pointed out a while ago that the amendment now proposed would result in curtailing the immediate and urgent requirements of the Public Health Service rather than in extending its facilities, because if these contracts are entered into now you would have to take a part of the appropriation made for extensions in order to pay for plans and specifications and preliminaries of every conceivable description.

There is a vast difference between wanting eagerly to economize and objecting strenuously to waste; and that is the difference between the committee and its critics on the floor here to-day. The committee has not wanted primarily to economize, but has wanted to proceed in a way that would prevent waste. The committee has not wanted to refuse to expend money to take care of ex-service men, but it simply proposes to expend it in a way that will more certainly and more speedily, in its judgment, take care of these ex-service men and safeguard the Treasury.

Mr. SIMMONS. Mr. President, does the Senator think the provision for the purchase of sites necessarily involves the expenditure during the coming fiscal year of any particular sum of money?

Mr. GLASS. It is meaningless if it does not mean that.

Mr. SIMMONS. Is it meaningless? Would not that simply mean this, that there is an authority here to select a site, and there is an authority here to make a contract for a site, but no authority to pay the money for the site? Is not that a common transaction? A man makes a contract to buy a piece of land, to be paid for in the future. Would not that be the nature of the contract the Surgeon General would make about this land?

Under this authorization he would enter into a contract to take this particular tract of land as a site for the building of a hospital, with the understanding that the money was to be paid out of the authorization when Congress appropriated the money. And, likewise, would not that be the case with reference to the contract for the specifications? There is a contract for the specifications, the architect proceeds to make his specifications, but he does not expect to get the money for his specifications until the Government makes the appropriation. I am simply putting a question.

Mr. GLASS. The Senator from North Carolina is a good business man. If he were proceeding in his own behalf, would he

make a contract at this time, when prices of building materials are excessive, and the prices of labor in the building craft are excessive, for the construction of a building at some future time?

Mr. SIMMONS. That is another and a very distinctly different question from the one I was raising. The Senator from Virginia said it would be necessary, if these contracts were made, to subtract that amount of money from the amounts we appropriated for hospitals to be constructed.

Mr. GLASS. No; the Senator misunderstood me.

Mr. SIMMONS. Then I certainly did misunderstand the Senator. That is what the Senator from Wisconsin said, as I understood him.

Mr. GLASS. Not at all. I think the Senator from Wisconsin said that you must take a part of this appropriation of \$18,000,000 to pay for the plans and specifications that would be prepared for future construction, if authorized and not appropriated for.

Mr. SIMMONS. Undoubtedly that would be so, if it was necessary to pay for the plans and specifications in advance, or cash at the time they were made. But the point I was making was that it would not be necessary to do that; that they would not have to be paid for until the money was ultimately appropriated under the authorization.

Mr. GLASS. As a matter of fact, I will say to the Senator, of my own personal knowledge the Supervising Architect's Office, which has been cut down in this bill, is already overcrowded with work, and if it should be called upon to prepare additional plans and specifications it would have to go out and hire architects to do the work, and the only way to go out and get architects is to pay them, and you would have to take part of this appropriation that the committee has recommended for immediate, urgent needs and pay for plans and specifications and options upon sites for future construction.

I shall now yield the floor. I simply rose to resent the imputation that the Committee on Appropriations had primarily any desire to economize at the expense of the suffering and distressed ex-service men. It is an impeachment of the committee that never should have been made upon the floor of the Senate, and it is one that has no justification in truth, because the Committee on Appropriations has as tender a solicitude—

Mr. ROBINSON. Does the Senator imply that I impeached the committee and charged that the committee had no disposition to take care of these men?

Mr. GLASS. No. I have said I thoroughly sympathize with the attitude of the Senator from Arkansas in his view of the facts, which differs so widely from my own; and I have said also that I sympathize entirely with the spirit manifested by the Senator from Arkansas.

Mr. ROBINSON. I did say that I thought this provision was inadequate, and I still think so.

Mr. GLASS. I can very readily conceive how a Senator may think that; but I do not participate in that view.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas [Mr. ROBINSON] to the amendment of the committee.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. DIAL (when his name was called). I have a pair with the Senator from Colorado [Mr. PHIPPS], which I transfer to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the junior Senator from Kentucky [Mr. STANLEY] and vote "nay."

Mr. KENDRICK (when his name was called). I have a pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Rhode Island [Mr. GERRY] and vote "nay."

Mr. McKELLAR (when his name was called). On this question I am paired with the junior Senator from Utah [Mr. KING] and withhold my vote.

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. I do not know how he would vote on this question, and I therefore withhold my vote. If permitted to vote, I would vote "yea."

Mr. STERLING (when his name was called). Making the same announcement of my pair and its transfer as on the last vote, I vote "nay."

Mr. WALSH of Montana (when his name was called). I have a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PEN-

ROSE]. I am informed that upon this particular proposition he would vote "nay." I therefore feel at liberty to vote. I vote "nay."

Mr. WOLCOTT (when his name was called). I transfer my general pair with the senior Senator from Indiana [Mr. WARSON] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. THOMAS. I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER]. I am informed that if he were present he would vote in the negative. I therefore feel at liberty to vote. I vote "nay."

Mr. FLETCHER (after having voted in the affirmative). I find that my pair, the Senator from Delaware [Mr. BALL], is not present and has not voted. I transfer my pair to the Senator from Tennessee [Mr. SHIELDS] and let my vote stand.

Mr. HENDERSON. Has the junior Senator from Illinois [Mr. McCORMICK] voted?

The PRESIDING OFFICER. He has not.

Mr. HENDERSON (after having voted in the affirmative). I have a general pair with the junior Senator from Illinois, and in his absence I withdraw my vote.

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut, which I transfer to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. LODGE. I have a general pair with the Senator from Georgia [Mr. SMITH], and the Senator from Maryland [Mr. SMITH] has a pair with the Senator from Vermont [Mr. DILLINGHAM]. By arrangement we transfer our pairs, and we are both at liberty to vote. I vote "nay."

Mr. SUTHERLAND. I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer my pair to the junior Senator from Idaho [Mr. GOODING] and vote "nay."

The PRESIDING OFFICER (Mr. CURTIS). The Chair desires to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Massachusetts [Mr. WALSH].

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN].

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. HARRISON. I wish to announce the absence of the Senator from Oregon [Mr. CHAMBERLAIN] on account of illness. As has been stated, he is paired with the Senator from Pennsylvania [Mr. KNOX].

I also desire to announce that if the junior Senator from Massachusetts [Mr. WALSH], who is temporarily absent on official business of the Senate, were present and at liberty to vote, he would vote "yea."

The result was announced—yeas 25, nays 29, as follows:

YEAS—25.

Ashurst	Harrison	Ransdell	Trammell
Capper	Heflin	Reed	Underwood
Dial	Kirby	Robinson	Walsh, Mont.
Fletcher	La Follette	Sheppard	Wolcott
France	Myers	Simmons	
Gay	Phelan	Swanson	
Harris	Pittman	Townsend	

NAYS—29.

Curtis	Kendrick	New	Thomas
Elkins	Kenyon	Overman	Wadsworth
Glass	Keyes	Poindexter	Warren
Gronna	Lenroot	Smith, Md.	Williams
Hale	Lodge	Smoot	Willis
Jones, N. Mex.	McNary	Spencer	
Jones, Wash.	Moses	Sterling	
Kellogg	Nelson	Sutherland	

NOT VOTING—42.

Ball	Fall	Knox	Pomerene
Beckham	Fernald	McCormick	Sherman
Borah	Frelinghuysen	McCumber	Shields
Brandeggee	Gerry	McKellar	Smith, Ariz.
Calder	Gooding	McLean	Smith, Ga.
Chamberlain	Gore	Newberry	Smith, S. C.
Colt	Henderson	Norris	Stanley
Culbertson	Hitchcock	Owen	Walsh, Mass.
Cummins	Johnson, Calif.	Page	Watson
Dillingham	Johnson, S. Dak.	Penrose	
Edge	King	Phipps	

So Mr. ROBINSON's amendment to the amendment of the committee was rejected.

RECESS.

Mr. WARREN. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 3 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 8, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, February 7, 1921.

The House met at 11 o'clock a. m.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

God Almighty, be good unto us to-day and bless us, and cause Thy face to shine upon us. May we hearken unto the call of duty. Revive in us our best energies and rekindle upon the hearthstones of our hearts a holy passion for the love of our country. Clothe us with cleanliness, and reveal unto us the glory of hidden purity, and at evening time may we be found seeking only an honorable rest. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, February 5, 1921, and of Sunday, February 6, 1921, was read and approved.

CALL OF THE HOUSE.

Mr. McCLINTIC. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. It is clear that there is no quorum present.

Mr. MANN of Illinois. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Ferris	Kreider	Randall, Calif.
Ashbrook	Focht	Leshner	Reed, W. Va.
Babka	French	Loneragan	Riordan
Baer	Gallagher	Lufkin	Robinson, N. C.
Bee	Gandy	McCulloch	Rubey
Bell	Ganly	McDuffie	Sabath
Benson	Gard	McGlennon	Sanders, Ind.
Blackmon	Garrett	McKiniry	Sanders, La.
Bland, Mo.	Goldfogle	McLane	Sanders, N. Y.
Bowers	Goodall	Maher	Sanford
Britten	Goodwin, Ark.	Mann, S. C.	Scully
Burke	Gould	Mays	Small
Butler	Graham, Pa.	Moon	Smith, N. Y.
Candler	Greene, Vt.	Mooney	Smithwick
Cantrill	Hamill	Mudd	Steele
Carew	Harrison	Neely	Stephens, Miss.
Carss	Haugen	Nelson, Wis.	Stiness
Casady	Hersman	Nolan	Sullivan
Chindblom	Hicks	O'Connor	Tague
Clark, Fla.	Hoe	Oliver	Townner
Classon	Hulings	Overstreet	Venable
Coady	Humphreys	Padgett	Walters
Costello	Hutchinson	Patterson	Watkins
Currie, Mich.	James, Mich.	Perlman	Whaley
Davey	Johnson, Ky.	Peters	Wilson, Ill.
Dent	Kahn	Phelan	Wilson, Pa.
Doelling	Kennedy, Iowa	Radcliffe	Wise
Eagle	Kettner	Rainey, Ala.	Yates
Edmonds	Kincheloe	Rainey, Henry T.	
Ellsworth	Kitchin	Rainey, John W.	
Emerson	Kraus	Ramsey	

The SPEAKER. Three hundred and eight Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call. The question is on agreeing to the motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4879. An act to amend section 1 of the act of Congress approved March 2, 1895 (28 Stats. L., p. 907), and to extend restrictions against alienation of lands allotted to and inherited by certain Quapaw Indians, and for other purposes; and

S. 4886. An act to extend the time of the Hudson River Connecting Railroad Corporation for the completion of its bridge across the Hudson River, in the State of New York.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4924. An act to retrocede to the State of Virginia exclusive jurisdiction heretofore acquired by the United States of America